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TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 24—FORMAL EDUCATION REQUIREMENTS FOR APPOINTMENT TO CERTAIN SCIENTIFIC, TECHNICAL, AND PROFESSIONAL POSITIONS

MEDICAL STUDENT AID

Section 24.112 is hereby added as follows:

§ 24.112 *Medical Student Aid, GS–7.*—(a) *Educational requirements.* Applicants must have successfully completed their third year in an approved medical school.

(b) *Duties.* Appointees to this position make routine physical examinations of individuals and make their diagnoses and recommendations for treatment to the medical officer; make appointments for return visits of patients as necessary; examine patients with inoculation reactions; maintain records of individual cases seen, and work with medical technicians and laboratory assistants in administering inoculations and doing special laboratory tests.

(c) *Knowledge and training requisite for performance of duties.* Successful performance of these duties requires an understanding of the human body, its physiology and its reactions to drugs; and an understanding of the symptoms of disease and the causes of disease. The duties are similar to those performed by medical students in dispensaries and clinics as part of their medical education. The necessary knowledges and training can only be acquired through a directed course of study in an approved medical school of at least 3 years duration.

(Sec. 11, 58 Stat. 390; 5 U. S. C. 860. Interprets or applies sec. 5, 58 Stat. 388; 5 U. S. C. 854)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] ROBERT RAMSPECK,
Chairman

[F. R. Doc. 51–15170; Filed, Dec. 21, 1951; 8:52 a. m.]

TITLE 7—AGRICULTURE

Chapter VIII—Production and Marketing Administration (Sugar Branch), Department of Agriculture

Subchapter B—Sugar Requirements and Quotas

[Sugar Reg. 817, Rev. 1]

PART 817—ENTRY OF SUGAR OR LIQUID SUGAR INTO THE CONTINENTAL UNITED STATES

Basis and purpose. This revised regulation is issued pursuant to section 403 (a) of the Sugar Act of 1948 (hereinafter called the "act") and deals with the administration of the quota system provided by that act.

The purpose of this revision is to simplify the paper work required and to clarify and restate the complete text of this regulation without substantive change. The "Sugar Quota Clearance Record" referred to in the proposed regulation is a 6-part snap-out form which will be supplied by the Department of Agriculture either directly or through Collectors of Customs.

Notice of this proposed revision was published on November 30, 1951 (16 F. R. 12098) in accordance with the Administrative Procedure Act (5 U. S. C. 1000–1010). Consideration has been given to the data, views and arguments submitted in connection therewith and is reflected in the regulation as stated herein.

This revision effects no changes in the substantive provisions of the existing regulation, but merely involves a simplification of the quota clearance record procedure established thereby. These procedural changes do not require of the persons affected any substantial or extensive preparation prior to the effective date. On the other hand, it is necessary in the public interest to make the requirements applicable to the entry of sugar into the continental United States effective as of the beginning of the quota year. Accordingly, it is hereby found that good cause exists and this revision shall become effective January 1, 1952.

(Continued on p. 12849)

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FEDERAL REGISTER

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CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

Pursuant to the authority vested in the Secretary of Agriculture by section 403 (a) of the act, Part 817, as amended (13 F. R. 127, 1076, 4590; 14 F. R. 466, 1169), is hereby revised to read as follows:

Sec.
- 817.1 Definitions.
- 817.2 Requirements.
- 817.3 Application.
- 817.4 Certification by the Secretary.
- 817.5 Substitution.
- 817.6 Change of purpose.
- 817.7 Outturn weights and polarizations.
- 817.8 Delegation of authority.

AUTHORITY: §§ 817.1 to 817.8 issued under sec. 403, 61 Stat. 932; 7 U. S. C. Sup. 1153.

§ 817.1 *Definitions.* As used in §§ 817.1 to 817.8, inclusive:

(a) The term "act" means the Sugar Act of 1948 (61 Stat. 922; 7 U. S. C., Sup. 1100).

(b) The term "person" means any individual, partnership, corporation, or association.

(c) The term "Department" means the United States Department of Agriculture.

(d) The term "Secretary" means the Secretary of Agriculture or any officer or employee of the Department to whom the Secretary has lawfully delegated the authority to act in his stead.

(e) The term "quota" means any quota (or the direct-consumption portion of any quota) or proration thereof established by the Secretary pursuant to the act.

(f) The term "allotment" means any allotment of any quota made by the Secretary pursuant to section 205 (a) of the act.

§ 817.2 *Requirements.* All persons are hereby forbidden from bringing or importing into the continental United States sugar or liquid sugar produced in any area outside of the continental United States unless:

(a) Such sugar or liquid sugar is brought in or imported through Customs ports of entry;

(b) An application is filed in the form and manner set out in § 817.3;

(c) A certification is issued by the Secretary as required by § 817.4;

(d) In the case of ex-quota sugar or liquid sugar, the requirements set forth in Part 818 or Part 819 of this chapter have been met; and

(e) The sugar or liquid sugar is released by the Collector of Customs.

§ 817.3 *Application.* (a) Application must be submitted on appropriate copies of the "Sugar Quota Clearance Record" (SU–3, 3a, 3b and 3c) showing the following information regarding the sugar or liquid sugar over the signature of the applicant:

(1) Port and date of arrival.

(2) Name of the vessel or other specific identification of the carrier.

(3) Port, date of departure and the producing area.

(4) Name and address to which delivery is to be made.

(5) Mark of identification for each lot subject to a separate quota or allotment.

(6) Type of sugar or liquid sugar and purpose for which it is to be brought in or imported.

(7) Quantity requested for each lot listed.

(b) When certification by the Secretary is required pursuant to § 817.4, the application specified in paragraph (a) of this section shall be submitted to the Director, Sugar Branch, Production and Marketing Administration of the Department, Washington 25, D. C., for action and transmittal to the Collector of Customs. When certification by the Secretary is not so required, forms SU–3a and 3b shall be submitted directly to the Collector of Customs at the port of entry of the sugar.

§ 817.4 *Certification by the Secretary.* (a) No sugar or liquid sugar brought in or imported into the continental United States shall be released for consumption

therein by the Collector of Customs unless the Secretary has certified to the Collector of Customs that such sugar or liquid sugar is within the applicable quota or allotment or may be brought in or imported under the exemptions specified in section 212 of the act: *Provided, however,* That such certification shall not be required (1) with respect to sugar from Cuba or the Republic of the Philippines, or, when allotments are not in effect, with respect to raw sugar for further processing from Hawaii or Puerto Rico, until the Director, Sugar Branch, PMA, of the Department, has published in the FEDERAL REGISTER notice that 80 per centum of the applicable quota has been filled; or (2) with respect to any ex-quota sugar brought in or imported pursuant to the provisions of Part 818 or Part 819 of this chapter.

(b) A certification shall not be issued more than 5 days prior to the stated date of departure of the vessel or other carrier on which the sugar or liquid sugar is to be shipped. The certification shall be valid for the period specified thereon, but not exceeding 60 days (subject to extension by the Secretary for good cause), and shall be subject to cancellation only if the Secretary determines that it has been mistakenly issued, that the person requesting it has made a material misrepresentation in connection therewith, or that the person to whom it has been issued will be unable to bring or import the sugar or liquid sugar into the continental United States during the period specified thereon. No certification shall be issued when the quantity of sugar or liquid sugar released for consumption in the continental United States, together with the quantity of sugar or liquid sugar covered by valid certifications issued hereunder, equals the applicable quota or allotment.

§ 817.5 *Substitution.* (a) Whenever a quantity of sugar or liquid sugar equal to the applicable quota or allotment has been released or certified therefor, the Secretary may authorize an additional quantity to be released within such quota or allotment upon delivery into the custody of a Collector of Customs of an equivalent quantity of sugar or liquid sugar previously charged to the same quota or allotment to be held in the place and stead of the additional sugar so certified until release is authorized by the Secretary under quota or allotment subsequently established for the same area or allottee: *Provided, however,* That,

(1) A "Sugar Quota Clearance Record" is filed with the Collector of Customs providing the information specified in § 817.3 concerning the sugar or liquid sugar to be placed in the Collector's custody and, in addition, bearing over the owner's signature the following agreement:

The undesigned owner of the sugar or liquid sugar described above will pay all storage charges and other expenses in connection with the retention of such sugar or liquid sugar in Customs' custody until released against an applicable quota or allotment or under the applicable provisions of Sugar Regulations 818 or 819.

and

(2) The Secretary has received form SU–3b of the "Sugar Quota Clearance Record" described in subparagraph (1) of this paragraph endorsed by the Collector of Customs showing receipt of the sugar or liquid sugar into his custody.

(b) Sugar or liquid sugar held in Customs' custody under paragraph (a) of this section and not withdrawn within ten days after notification of release is given by the Secretary may be treated as abandoned to the Government and may be sold at such time and under such conditions as the Secretary shall determine will best protect the interests of the Government and the owner, subject to payment to the said owner of the surplus proceeds, if any, after the payment of all charges and other expenses. Any sugar or liquid sugar which has become subject to sale hereunder may, at any time before sale, be withdrawn under such conditions as the Secretary may prescribe.

§ 817.6 *Change of purpose.* No person shall deliver sugar brought or imported into the continental United States under this part for a purpose other than that shown upon the application required by § 817.3 (i. e., direct consumption or as raw for further processing), without first submitting a supplementary "Sugar Quota Clearance Record" for each such delivery to the Director, Sugar Branch, Production and Marketing Administration of the Department, Washington 25, D. C., and receiving the approval of the Secretary on form SU–3c thereof.

§ 817.7 *Outturn weights and polarizations.* As soon as the final outturn weights and polarizations are determined for any sugar or liquid sugar released pursuant to this part, the importer or refiner to whom such sugar or liquid sugar is delivered shall report such final outturn weights and polarizations to the Director, Sugar Branch, PMA, of the Department, on the form SU–3c pertaining thereto.

§ 817.8 *Delegation of authority.* The Director, or Deputy Director, of the Sugar Branch, or the Chief of the Quota and Allotment Division thereof, PMA, of the Department, is hereby authorized to act for and on behalf of the Secretary in administering §§ 817.1 to 817.7.

NOTE: All reporting requirements of these regulations have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

Done at Washington, D. C., this 20th day of December 1951. Witness my hand and the seal of the Department of Agriculture.

[SEAL] CHARLES F. BRANNAN,
Secretary.

[F. R. Doc. 51–15232; Filed, Dec. 21, 1951; 8:50 a. m.]

Subchapter H—Determination of Wage Rates

[Sugar Determination 868.4]

PART 868—SUGARCANE: VIRGIN ISLANDS

FAIR AND REASONABLE WAGE RATES FOR PERSONS EMPLOYED IN PRODUCTION, CULTIVATION OR HARVESTING DURING CALENDAR YEAR 1952

Pursuant to the provisions of section 301 (c) (1) of the Sugar Act of 1948 (herein referred to as "act"), after investigation, and consideration of the evidence obtained at the public hearing held in Christiansted, St. Croix, Virgin Islands, on September 24, 1951, the following determination is hereby issued:

§ 868.4 *Fair and reasonable wage rates for persons employed in the production, cultivation, or harvesting of sugarcane in the Virgin Islands during the calendar year 1952*—(a) *Requirements.* The requirements of section 301 (c) (1) of the act shall be deemed to have been met with respect to the production, cultivation, or harvesting of sugarcane in the Virgin Islands for the calendar year 1952, if the producer complies with the following:

(1) *Wage rates.* All persons employed on the farm in the production, cultivation, or harvesting of sugarcane shall have been paid in full for all such work and shall have been paid wages in cash therefor at rates as agreed upon between the producer and the laborer, but after the date of issuance of this determination, not less than the following:

(i) *Basic time rates.* The basic rates per hour for the first 8 hours of work performed in any 24-hour period shall be as follows:

Class of work:	*Basic rate per hour*
A—All kinds of work not classified below	$0.30
B—Spraying weeds with chemicals	.33
C—Operation of tractors and trucks	.40
D—Operation of mechanical loaders	.50

(ii) *Overtime.* Persons employed in excess of 8 hours in any 24-hour period or in excess of 44 hours in any one week shall be paid for the overtime work at a rate not less than one and one-half times the applicable hourly rate provided in subdivision (i) of this subparagraph: *Provided,* That this provision shall be inapplicable to workers who are employed under extraordinary emergencies as defined in section 4 (c) of Municipal Council Bill No. 2, passed by the Municipal Council of St. Croix, Virgin Islands on January 5, 1950.

(iii) *Piecework rates.* If work is performed on a piecework rate basis, the average earnings for the time involved on each separate unit of work for which a piecework rate is agreed upon shall be not less than the applicable hourly rate provided under subdivisions (i) and (ii) of this subparagraph.

(2) *Perquisites.* In addition to the foregoing, the producer shall furnish to the laborer, without charge, the perquisites customarily furnished by him, such as a dwelling, garden plot, pasture lot and medical services.

(b) *Subterfuge.* The producer shall not reduce the wage rates to laborers

below those determined in this section through any subterfuge or device whatsoever.

(c) *Claim for unpaid wages.* Any person who believes he has not been paid in accordance with this determination may file a wage claim with the Caribbean Area Office, Production and Marketing Administration, San Juan, Puerto Rico, against the producer on whose farm the work was performed. Such claim must be filed within two years from the date the work with respect to which the claim is made was performed. Detailed instructions and wage claim forms are available at that office. Upon receipt of a wage claim the Caribbean Area Office shall thereupon notify the producer against whom the claim is made concerning the representation made by the laborer and, after making such investigation as it deems necessary, shall notify the producer and laborer in writing of its recommendation for settlement of the claim. If the recommendation of the Caribbean Area Office is not acceptable, either party may file an appeal with the Director of the Sugar Branch, Production and Marketing Administration, U. S. Department of Agriculture, Washington 25, D. C. Such appeal shall be filed within 15 days after receipt of the recommended settlement from the Area Office; otherwise, such recommended settlement will be applied in making payment under the act. If a claim is appealed to the Director of the Sugar Branch, his decision shall be binding on all parties insofar as payment under the act is concerned.

STATEMENT OF BASES AND CONSIDERATIONS

(a) *General.* The foregoing determination provides fair and reasonable wage rates which a producer must pay, as a minimum, for work performed by persons employed on the farm in the production, cultivation, or harvesting of sugarcane in the Virgin Islands during the calendar year 1952, as one of the conditions for payment under the act.

(b) *Requirements of the act and standards employed.* In determining fair and reasonable wage rates, the act requires that a public hearing be held, that investigations be made, and that consideration be given to (1) the standards formerly established by the Secretary under the Agricultural Adjustment Act, as amended, and (2) the differences in conditions among the various sugar producing areas.

A public hearing was held in Christiansted, St. Croix, Virgin Islands, on September 24, 1951, at which interested persons presented testimony with respect to fair and reasonable wage rates for the calendar year 1952. In addition, investigations have been made of the conditions affecting wage rates in the Virgin Islands. In this determination, consideration has been given to testimony presented at the hearing and to information resulting from investigations. The primary factors which have been considered are: (1) Prices of sugar and by-products; (2) income from sugarcane; (3) cost of production; (4) cost of living; and (5) relationship of labor cost to total cost. Other economic influences also have been considered.

(c) *1952 wage determination.* The 1952 wage determination continues unchanged the basic wage rates in effect during the 1951 calendar year. In the 1951 wage determination basic hourly rates ranging from 30 to 50 cents per hour were stipulated for various classes of work. Also included was an overtime provision and an hourly earning's guarantee for work performed on a piecework rate basis. The rates established were in conformity with the provisions of minimum wage and maximum hour legislation promulgated in early 1950 by the Municipal Council of St. Croix for all workers on the Island of St. Croix.

The Virgin Islands, historically, has been a low wage and low income area. The many hazards to agricultural production, such as insufficient rainfall, porous soil which minimizes the effectiveness of the rainfall, inadequate yields of sugarcane, and low recovery of sugar are primarily responsible for these conditions. The Virgin Islands Corporation, owned by the Federal government and created primarily to promote the general welfare of the inhabitants of the Islands through economic development, has in the past sustained substantial losses. Although improved methods of production and, recently, improved yields have resulted in an improvement of the financial position of the Corporation, losses for the year ended June 30, 1951, remained substantial. The Corporation is the Islands' only sugar manufacturer and is the largest employer of field workers.

In recognition of the foregoing factors, and in view of the fact that payment of the wage rates established by municipal law is required to meet the wage provisions of the Sugar Act, the rates established in the 1951 wage determination are deemed to be fair and reasonable.

Accordingly, I hereby find and conclude that the foregoing wage determination will effectuate the wage provisions of the Sugar Act of 1948.

(Sec. 403, 61 Stat. 932; 7 U. S. C. Sup. 1153. Interprets or applies Sec. 301, 61 Stat. 929; 7 U. S. C. Sup. 1131)

Issued this 18th day of December 1951.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 51-15110; Filed, Dec. 21, 1951; 8:46 a. m.]

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders), Department of Agriculture

PART 907—MILK IN MILWAUKEE, WISCONSIN, MARKETING AREA

ORDER TERMINATING CERTAIN PROVISIONS

Pursuant to the applicable provisions of Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 1940 ed. 601 et seq.), hereinafter referred to as the "act," and of the order, as amended, regulating the handling of milk in the Milwaukee, Wisconsin, marketing area, hereinafter referred to as the "order," it is hereby found and determined that the provisions appearing in § 907.91 (a) (2) of such order do not tend to effectuate the declared policy of the act.

It is hereby further found and determined that compliance with the effective date requirements of the Administrative Procedure Act (Pub. Law 404, 79th Cong.; 60 Stat. 237) in connection with the issuance hereof is impracticable, unnecessary and contrary to the public interest, in that (1) the issuance of this termination order effective as set forth below is necessary to reflect current marketing conditions and to facilitate, promote and maintain the orderly marketing of milk produced for the said marketing area, and (2) this action will relieve restriction by eliminating unnecessary regulation under the said order with respect to certain milk currently covered by the pricing provisions of the order (No. 41) in effect in the Chicago, Illinois, marketing area. The changes caused by this termination order do not require of persons affected substantial or extensive preparation prior to its effective date.

It is therefore ordered, That the provisions of the order (No. 7) regulating the handling of milk in the Milwaukee, Wisconsin, marketing area appearing in § 907.91 (a) (2) be and they are hereby terminated effective at 12:01 a. m., c. s. t., January 1, 1952.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 19th day of December 1951.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 51-15186; Filed, Dec. 21, 1951; 8:54 a. m.]

PART 927—MILK IN THE NEW YORK METROPOLITAN MARKETING AREA

SUBPART—ORDER RELATIVE TO HANDLING

§ 927.0 *Findings and determinations.* The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of each of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the New York metropolitan milk marketing

area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order, as amended, and as hereby further amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act;

(2) The parity prices of milk produced for sale in the said marketing area as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds and other economic conditions which affect market supplies of and demand for such milk, and the minimum prices specified in the order, as amended, and as hereby further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk and be in the public interest; and

(3) The said order, as amended, and as hereby further amended, regulates the handling of milk in the same manner as and is applicable only to persons in the respective classes of industrial and commercial activity specified in a marketing agreement upon which a hearing has been held.

(b) *Additional findings.* It is necessary, in the public interest, to make this order, as amended, effective on January 1, 1952. Otherwise, the administrative impracticability of an effective date other than as of the first day of a month would require a minimum deferment of one full month in its effective date. Such further delay in the effective date of this order, as amended, would seriously threaten the orderly marketing of milk in the New York metropolitan milk marketing area. The provisions of the said order are well known to handlers—the public hearing having been completed on April 17, 1951, the recommended decision having been published in the FEDERAL REGISTER on August 21, 1951 (16 F. R. 8275), and the final decision having been published in the FEDERAL REGISTER on November 8, 1951 (16 F. R. 11344). Under the circumstances, adequate and reasonable time has been afforded persons affected to prepare for its effective date. In view of the foregoing, it is hereby found and determined that good cause exists for making this order, as amended, effective on January 1, 1952, and that it would be contrary to the public interest to delay the effective date of this amendment for 30 days after its publication in the FEDERAL REGISTER. (See sec. 4 (c), Administrative Procedure Act, Pub. Law 404 79th Cong., 60 Stat. 237.)

(c) *Determinations.* It is hereby determined that handlers (excluding cooperative associations of producers who are not engaged in processing, distributing, or shipping milk covered by this order, as amended) of more than 50 percent of the volume of milk covered by this order, as amended, which is marketed within the New York metropolitan milk marketing area refused or failed to sign the proposed marketing agreement regulating the handling of milk in the said marketing area and it is hereby further determined that:

(1) The refusal or failure of such handlers to sign said proposed marketing agreement tends to prevent the effectuation of the declared policy of the act;

(2) The issuance of this order, as amended, is the only practical means pursuant to the declared policy of the act, of advancing the interests of producers of milk which is produced for sale in the New York metropolitan milk marketing area; and

(3) The issuance of this order, as amended, is approved or favored by at least two-thirds of the producers who, during the determined representative period (July 1951), were engaged in the production of milk for sale in the said marketing area, and who participated in a referendum on the question of approval of its issuance.

Order relative to handling. It is therefore ordered that on and after the effective date hereof, the handling of milk in the New York metropolitan milk marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended and as hereby further amended; and the aforesaid order, as amended, is hereby further amended to read as follows:

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AUTHORITY: §§ 927.1 to 927.89 issued under sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c.

DEFINITIONS

§ 927.1 *Act.* "Act" means Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended.

§ 927.2 *Secretary.* "Secretary" means the Secretary of Agriculture or any officer or employee of the United States who is, or who may hereafter be, authorized to exercise the powers and to perform the duties of the Secretary of Agriculture.

§ 927.3 *Marketing area.* "New York metropolitan milk marketing area" (hereinafter called the "marketing area") means all territory within the boundaries of the city of New York, the counties of Nassau, Suffolk (except Fisher's Island), and Westchester, all in the state of New York together with all piers, docks and wharves connected therewith and all crafts moored thereat, and including territory within such boundaries which is occupied by government (Municipal, State, Federal or International) reservations, installations, institutions or other establishments.

§ 927.4 *Person.* "Person" means any individual, partnership, corporation, association, or any other business unit.

§ 927.5 *Dairy farmer.* "Dairy farmer" means any person who produces milk.

§ 927.6 *Producer.* "Producer" means any dairy farmer whose milk is delivered direct from farm to a pool plant.

§ 927.7 *Handler.* "Handler" means (a) any person who engages in the handling of milk, or products therefrom, which milk was received at a pool plant, or at a plant approved by any health

authority as a source of milk for the marketing area, (b) any person who engages in the handling of milk, concentrated fluid milk, cultured or flavored milk drinks, cream, or skim milk, all or a portion of which is shipped to, or received in, the marketing area, or (c) any cooperative association of dairy farmers with respect to any milk which it causes to be delivered from dairy farmers to a pool plant of any other handler for the account of such association and for which such association receives payment.

§ 927.8 *Plant.* "Plant" means the land, buildings, surroundings, facilities, and equipment, whether owned or operated by one or more persons, constituting a single operating unit or establishment for the receiving, handling, or processing of milk or milk products as determined by the market administrator pursuant to § 927.18 (j).

§ 927.9 *Pool plant.* "Pool plant" means any plant which is designated as a pool plant pursuant to §§ 927.20, 927.22, 927.25 or 927.27.

§ 927.10 *Market administrator.* "Market administrator" means the agency, which is described in §§ 927.15 through 927.18, for the administration of this subpart.

§ 927.11 *Northern New Jersey.* "Northern New Jersey" means the following counties in the State of New Jersey:

Bergen.	Morris.
Essex.	Passaic.
Hudson.	Sommerset.
Hunterdon.	Sussex.
Middlesex.	Union.
Monmouth.	Warren.

MARKET ADMINISTRATOR

§ 927.15 *Selection, removal, and bond.* The agency for the administration of this subpart shall be a market administrator who shall be a person selected and subject to removal by the Secretary. The market administrator shall, within 45 days following the date upon which he enters upon his duties, execute and deliver to the Secretary a bond, conditioned upon the faithful performance of his duties, in an amount and with surety thereon satisfactory to the Secretary.

§ 927.16 *Compensation.* The market administrator shall be entitled to such reasonable compensation as shall be determined by the Secretary.

§ 927.17 *Powers.* The market administrator shall have the following powers:

(a) To administer the terms and provisions of this subpart;

(b) To make rules and regulations to effectuate the terms and provisions of this subpart;

(c) To receive, investigate, and report to the Secretary complaints of violations of this subpart; and

(d) To recommend to the Secretary amendments to this subpart.

§ 927.18 *Duties.* The market administrator, in addition to the duties hereinafter described, shall:

(a) Keep such books and records as will clearly reflect the transactions provided for in this subpart;

(b) Submit his books and records to examination by the Secretary at any and all times;

(c) Furnish such information and such verified reports as the Secretary may request;

(d) Obtain a bond with reasonable security thereon covering each employee who handles funds entrusted to the market administrator;

(e) Publicly disclose, after reasonable notice, the name of any person who has not made reports pursuant to §§ 927.50, 927.51 and 927.53, or made payments required by §§ 927.65, 927.66, 927.67, 927.72, 927.75, 927.77, 927.78, and 927.80;

(f) Prepare and disseminate for the benefit of producers, consumers, and handlers such statistics and information concerning the operation of this subpart, as amended, as do not reveal confidential information;

(g) Employ and fix the compensation of such persons as may be necessary to enable him to administer the terms and provisions of this subpart;

(h) Pay out of the funds received pursuant to § 927.80 the cost of his bond and of the bonds of such of his employees as handle funds entrusted to the market administrator, his own compensation, and all other expenses which will necessarily be incurred by him for the maintenance and functioning of his office and the performance of his duties;

(i) Maintain a main office and such branch offices as may be necessary; and

(j) The market administrator shall, from time to time, cause inspections to be made of the buildings, facilities and surroundings of the plant and shall notify handlers of his determination as to what constitutes the plant and its equipment. If any handler makes written request for such determination, the market administrator shall promptly notify such handler of his determination: *Provided,* That if the request is for a revised determination or for affirmation of a previous determination, the handler shall set forth in his request the changed conditions which he believes makes a new determination necessary. Such determination shall be ruling for all purposes under this subpart, and any revision in the determination of which handlers have been notified shall be effective not earlier than the date of notice to handlers of such revised determination.

POOL PLANTS

§ 927.20 *Carryover designation.* Any plant for which the report of milk received from dairy farmers was used in the computation of the uniform price for November 1944 is hereby designated as a pool plant until such designation is cancelled pursuant to § 927.24, or § 927.25.

§ 927.21 *Eligible applicants.* Any person who operates a plant which is located in New York State, Vermont, Massachusetts, Connecticut, New Jersey, or Pennsylvania and which is either approved as a source of milk by a health authority in the marketing area at the time of application and under the sanitary supervision of such authority, or was a pool plant during the preceding October, November, and December, may apply to the Secretary prior to July 1 of any year to have such a plant designated as a pool plant: *Provided,* That if 50 percent or more of the dairy farmers delivering milk at such plant deliver such milk for the account of a cooperative association which does not operate the plant but for which milk such association receives payment, an application must be made by such cooperative association as well as by the person operating the plant. Applications shall be addressed to the Secretary and filed at the office of the market administrator.

§ 927.22 *Designation upon application.* Any plant for which an application has been made pursuant to § 927.21 shall be designated as a pool plant upon determination by the Secretary that the requirements of § 927.23 are being met. Such designation shall be effective as of August 1 following the date of application and until cancelled pursuant to § 927.24. If, based upon the information contained in an application filed pursuant to § 927.21, the Secretary determines that the requirements of § 927.23 are not being met, the applicant or applicants shall be so notified. Within 15 days after receipt of such notice, the applicant or applicants may submit additional information and request further consideration. Prior to the issuance of the determination of the Secretary, an application may be withdrawn by written request of the applicant or applicants. In the event that no determination is made by the Secretary prior to August 1, the effective date of the designation, upon written request of the applicant or applicants prior to the issuance of a determination, shall be deferred until the first of the month following the date of such determination. If the application is not so withdrawn, or the effective date of designation is not so deferred, the plant shall be treated as a pool plant as of August 1: *Provided,* That all payments into or out of the producer settlement fund (except such payments which are made on the basis of operations during a month in which a plant meets the requirements of § 927.27) shall be held in reserve by the market administrator until a determination is made.

§ 927.23 *Requirements.* In order to qualify as a pool plant pursuant to §§ 927.20, 927.22, or 927.25, the person operating the plant shall meet each of the following requirements.

(a) Be willing to ship in the form of milk to the marketing area, milk received at the plant from dairy farmers;

(b) Keep such control over the sanitary conditions under which milk received at the plant is produced and handled, that the plant can meet the requirements of a source of milk for the marketing area: *Provided,* That approval by a health authority of the plant as a source of milk for the marketing area shall constitute sufficient evidence that this requirement is being met even though such approval is restricted to prohibit shipment to the marketing area of milk for specified periods during which permission is given by such health authority for receiving unapproved milk or skim milk at the plant or for shipment of approved skim milk from such plant; and

(c) Have no commitments for disposition of milk that prevent him from utilizing milk as set forth in § 927.24 (g).

§ 927.24 *Suspension and cancellation of designation.* The designation of a pool plant pursuant to §§ 927.20, 927.22, or 927.25 may be suspended or cancelled under any of the following provisions:

(a) The designation shall be cancelled upon application to the market administrator by the handler operating the plant effective at any time during the months of April through July of any year but not sooner than 30 days after receipt of such application: *Provided,* That such applications for cancellation shall be accompanied by proof that the handler, if not a cooperative association qualified pursuant to § 927.76, has notified any qualified cooperative association which has any members who deliver milk to such plant, and has notified individually all producers delivering to such plant who are not members of such qualified cooperative association, of his intention to make such application: *Provided, further,* That if 50 percent or more of the producers delivering milk at such plant deliver such milk for the account of a cooperative association which does not operate the plant, but for which milk such association receives payment, an application must be made by such cooperative association as well as by the handler operating the plant.

(b) The designation of any plant which on June 15 of any year is not approved by a health authority as a source of milk for the marketing area shall be automatically cancelled effective on August 1 of such year unless the absence of such approval is a temporary condition covering a period of not more than 15 days: *Provided,* That the designation of a plant approved by a health authority as a source of milk for the marketing area, even though such approval is restricted to prohibit shipment to the marketing area of milk for specified periods during which permission is given by such health authority for receiving unapproved milk or skim milk at the plant or for shipment of approved skim milk from such plant, shall not be cancelled pursuant to this provision. This provision does not prevent a handler from applying, pursuant to § 927.21 for a new designation effective on August 1 of the same year.

(c) The designation of any plant shall be suspended, effective no sooner than 10 days nor later than 20 days after the date of mailing of notice, by registered letter, to the handler, whenever the market administrator, subject to the limitations set forth in paragraph (g) of this section, finds on the basis of available information that the handler operating the plant is not meeting the requirements set forth in § 927.23: *Provided,* That, if the handler operating the plant is not a cooperative association qualified pursuant to § 927.76, the market administrator shall also notify any qualified cooperative association which has any members who deliver milk to such plant, and shall notify individually all producers delivering to such plant who are not members of such qualified cooperative association, of such suspension of designation.

(d) In the case of the suspension, pursuant to this section, of the designation of one or more plants for failure to meet the requirements of § 927.23 (a) or (c), the handler operating such plant may select, prior to the effective date of such suspension, some other pool plant or plants to be substituted for the plant or plants suspended if, during the preceding month, the quantity of milk received from producers at such substituted plant or plants was not less than the quantity of milk received from producers at the suspended plant or plants. The handler may also select the order in which plant designations are to be cancelled in the event of a later determination by the Secretary cancelling the designation of some but not all of the plants suspended.

(e) Not later than 10 days after the effective date of suspension of designation, pursuant to this section, the handler operating the plant may apply to the Secretary for a review. If the handler fails to so apply for such review, the designation of the plant as a pool plant shall be cancelled as of the effective date of the suspension. If the handler does so apply, the Secretary shall, after review, either determine that the requirements set forth in § 927.23 have been met and order the suspension revoked, or determine that such requirements have not been met and order the designation cancelled as of the effective date of the suspension: *Provided,* That, if the Secretary has made no determination within two months after the end of the month in which the suspension was made effective, but later orders the designation cancelled, such cancellation shall be effective as of the first of the month following the date of such determination.

(f) Beginning with the effective date of a suspension pursuant to this section, and until the Secretary has either ordered the designation cancelled or ordered the suspension revoked, the plant shall be treated as a pool plant: *Provided,* That all payments into or out of the producer settlement fund (except such payments on the basis of operations during a month in which the plant meets the requirements of § 927.27), shall be held in reserve by the market administrator until an order is issued by the Secretary, but not longer than two months after the end of the month in which the suspension was made effective.

(g) No pool plant designation shall be suspended for failure to meet the requirements of § 927.23 (a) except under the following conditions:

(1) A meeting has been held, no sooner than three days after notice by the market administrator to all handlers operating pool plants designated pursuant to §§ 927.20, 927.22 or 927.25, for consideration of the desirable utilization of milk received from producers during a period ending not later than the end of the second month after the month during which such meeting is held.

(2) There has been issued by the market administrator, following such meeting, and mailed to all handlers operating pool plants designated pursuant to §§ 927.20, 927.22 or 927.25 the market administrator's determination of the desirable utilization of milk received from producers each month during all or a part of the period set forth in subparagraph (1) of this paragraph. Such determination shall include a schedule setting forth, by months, the desired minimum percentage of milk received from producers to be utilized in specified classes. Such specified classes shall include Class I–A, and Class I–C to the extent of 50 percent of the milk received by a handler from producers which is ultimately distributed in the State of New York, in Northern New Jersey, in Fairfield County, Connecticut, or in Pennsylvania outside the counties of Allegheny, Beaver, Fayette, Greene, Washington, and Westmoreland. In addition, such specified classes may include all or a part of Class II and other I–C.

(3) The market administrator finds on the basis of available information that the handler operating a plant or the cooperative reporting a plant is not utilizing milk received from producers in accordance with the minimum percentage set forth in the determination of the market administrator previously announced pursuant to subparagraph (2) of this paragraph: *Provided,* That the suspension of the pool plant designation of a plant may be made effective during the months of November and December if the market administrator finds that the handler is utilizing any milk received from producers in classes other than those set forth in the determination of the market administrator announced pursuant to subparagraph (2) of this paragraph.

(h) The cancellation of pool plant designations for failure to meet the requirements of § 927.23 (a) shall be subject to the following conditions:

(1) No pool plant designation shall be cancelled if the handler operating the plant utilized the milk received by him at all pool plants from producers during the month in which the suspension is made effective in accordance with the minimum percentage set forth in the determination of the market administrator announced pursuant to paragraph (g) (2) of this section.

(2) No pool plant designation shall be cancelled if the handler operating the plant utilized in the specified classes set forth in the determination of the market administrator announced pursuant to paragraph (g) (2) of this section a percentage of the total milk received by him at all pool plants from producers during the month in which the suspension is made effective which is not less than the percentage of the total milk reported by all handlers to have been received from producers during such month which was reported to have been used in the specified classes: *Provided,* That the limitations as to quantity and area set forth in the determination of the market administrator announced pursuant to paragraph (g) (2) of this section shall apply in computing the utilization percentage of the individual handler but shall not apply in computing the utilization percentage of all handlers.

(3) In the event that all milk received from producers at a plant is reported to the market administrator by a cooperative association qualified pursuant to § 927.76, and such association pays the producers for such milk, the pool plant

designation of such plant shall not be cancelled if a percentage of all milk reported by such cooperative association is utilized in accordance with the minimum percentage set forth in the determination of the market administrator announced pursuant to paragraph (g) (2) of this section, or in accordance with the percentage set forth in subparagraph (2) of this paragraph.

(4) Cancellation of designations shall be limited to those plants necessary to result in a utilization of milk received at the remaining pool plants operated by the handler, or reported by the cooperative, as the case may be, in accordance with the minimum percentage set forth in the determination of the market administrator announced pursuant to paragraph (g) (2) of this section.

(i) Loss of approval by health authorities of a plant as a source of milk for the marketing area may in itself constitute adequate reason for the market administrator to suspend the designation of a plant for failure to meet the requirements of § 927.23 (b), only if the absence of such approval continues for more than 15 days.

§ 927.25 *Plant replacements.* A plant may be designated at any time as a pool plant upon application made by the person operating the plant to the Secretary showing that the plant is a replacement for one or more pool plants designated pursuant to §§ 927.20, 927.22 or this section which are operated by him and that substantially all of the dairy farmers delivering milk at the plant previously delivered milk to the pool plant or plants replaced. Upon designation of a plant pursuant to this section, the designation of the plant or plants which it replaced shall be automatically cancelled.

§ 927.26 *Change of operator.* The designation of pool plants pursuant to §§ 927.20, 927.22 and 927.25 shall be considered as applicable to the plant as such, and subject to cancellation only pursuant to §§ 927.24 and 927.25, regardless of change in the person owning or operating the plant. The market administrator shall be notified, by the handlers involved, of any transfer from one person to another of ownership or operation of a pool plant.

§ 927.27 *Plants shipping Class I–A milk to the marketing area.* For any month a plant from which during such month Class I–A milk, either directly or through other plants, is sold or distributed in or shipped to the marketing area, which quantity of milk during the months of July through March, is equal to more than 25 percent of the milk received directly from dairy farmers, or during the months of April through June is equal to more than 10 percent of the milk received directly from dairy farmers, shall automatically be designated a pool plant: *Provided,* That for the months of April, May, or June no plant at which milk was received from dairy farmers during the preceding period of October, November, and December shall be a pool plant on this basis, unless at least 60 percent of such milk was classified in Class I–A, and either directly, or through other plants, was sold or distributed in or shipped to the marketing area in the form of milk: *Provided further,* That no plant shall be a pool plant on this basis during the months of January through July, if the designation of the plant as a pool plant was cancelled for failure to meet the requirements of § 927.23 (a) during the preceding year. At the time of announcing the uniform price for each month, the market administrator shall make public the location, and name of the operator, of any plant for which a report of receipts from dairy farmers was used, pursuant to this section, in the computation of that uniform price.

CLASSIFICATION

§ 927.30 *Basis of classification.* All milk the butterfat from which is received at a plant at which the classification of milk received from producers is to be determined pursuant to § 927.33, and all milk entering the marketing area in the form of milk, concentrated fluid milk, fluid milk products, cultured or flavored milk drinks, cream, fluid cream products or skim milk, shall be classified in accordance with the form in which it is held at, or moved from, the plant at which classification is determined. Such classification shall be subject to the conditions set forth in §§ 927.31 through 927.35.

§ 927.31 *Burden of proof.* In establishing the classification of milk received from producers, the burden rests upon the handler who received the milk from producers to show that the milk should not be classified as Class I–A, and that the skim milk in Class II and Class III milk should not be subject to the fluid skim differential. The burden rests upon the handler who receives or distributes in the marketing area milk, concentrated fluid milk, fluid milk products, cultured or flavored milk drinks, cream, fluid cream products, or skim milk to establish the source of all his milk or milk products.

§ 927.32 *Period for establishing classification.* A period ending with the last day of the month following the month during which the milk was received from dairy farmers shall be allowed for handling such milk as a basis for establishing the classification as other than Class I–A: *Provided,* That the holding of milk in the form of cream in a licensed cold storage warehouse for at least 7 days shall constitute that portion of the handling of such cream required pursuant to § 927.37 (e) (2) that is required to be performed during the month following its receipt from dairy farmers.

§ 927.33 *Plant at which classification is to be determined.* Classification shall be determined at the plant at which milk is received from dairy farmers: *Provided,* That if such milk is shipped in the form of milk or cream to another plant or other plants, it shall be classified, subject to the provisions of paragraphs (a) through (e) of this section, at the plant or plants to which it is shipped, and there shall be no limit on the number of interplant movements in the form of milk or cream except as set forth in paragraphs (a) through (e) of this section.

(a) The classification of milk shipped in the form of milk to a plant in the marketing area shall be determined at the plant from which such milk is shipped to the plant in the marketing area.

(b) Except as set forth in paragraph (c) of this section, the classification of milk the butterfat from which is shipped in the form of cream to a plant in the marketing area shall be determined at the plant from which such cream is shipped to the plant in the marketing area.

(c) The classification of milk the butterfat from which is shipped in the form of cream to a plant in the marketing area shall be determined, if such cream is moved in the form of frozen desserts or homogenized mixtures, whipped topping mixtures, or cream cheese either from the plant at which cream is first received in the marketing area or from the first plant to which cream is shipped from the plant where first received in the marketing area, at the first plant from which the frozen desserts or homogenized mixtures, whipped topping mixtures or cream cheese are so moved.

(d) Except as set forth in paragraph (e) of this section, the classification of milk shipped in the form of milk and of milk the butterfat from which is shipped in the form of cream to a non-pool plant shall be determined at the non-pool plant, unless the handler operating the pool plant from which such shipments are made to the non-pool plant elects in writing on his monthly reports to have classification of all milk or cream received during the month at such handler's pool plant and shipped as milk or cream to the non-pool plant determined at the pool plant from which the milk or cream is shipped to the non-pool plant.

(e) The classification of milk shipped in the form of milk more than 65 miles from the plant where received from dairy farmers and of milk the butterfat from which is shipped in the form of cream more than 65 miles from the plant where the milk was separated to a plant outside Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York State, Ohio, Pennsylvania, New Jersey, Delaware, Maryland, Virginia, West Virginia, or the District of Columbia shall be determined at the plant from which the milk or cream is so shipped.

§ 927.34 *Plant loss.* Allowances for plant loss not to exceed 5 percent of the butterfat in the product resulting from any specific plant operation, which plant loss may be classified the same as the milk equivalent of the butterfat in the product, shall be determined by the market administrator pursuant to § 927.36.

§ 927.35 *Accounting procedure.* The accounting procedure for classifying milk pursuant to §§ 927.30 through 927.37 shall be set up by the market administrator pursuant to § 927.36. Such accounting procedure shall include conversion factors to be used in the absence of specific weights and tests, specific definitions of products, and such methods for assignment of milk to classes according to source and form as may be necessary to effectuate the provisions of §§ 927.30 through 927.37 and which are not inconsistent with the following general principles:

(a) Milk, concentrated fluid milk, fluid milk products, cream, fluid cream products and skim milk received from pool plants or from producers shall be assigned, as far as possible, to Class I–A, Class II, or to skim milk subject to the fluid skim milk differential.

(b) If milk, cream, or skim milk is received at a plant from producers or from pool plants and in like form from dairy farmers not producers or from non-pool plants, the total milk equivalent of such products from producers and pool plants, and the total milk or milk equivalent from dairy farmers not producers and non-pool plants shall be assigned pro rata to the total classification of all such milk or milk equivalent and to all skim milk subject to the fluid skim differential after the assignment in accordance with paragraph (a) of this section.

(c) The milk received from producers which is eliminated from the computation of the handler's net pool obligation pursuant to § 927.60 shall be assigned pro rata to the total classification of all milk from producers and pool plants.

§ 927.36 *Rules and regulations.* The rules and regulations to effectuate the terms and provisions of §§ 927.30 through 927.37 shall be made, and may from time to time be amended by the market administrator in accordance with the procedure set forth in this section: *Provided,* That at any time upon a determination by the Secretary that an emergency exists which requires the immediate adoption of rules and regulations, the market administrator may issue, with the approval of the Secretary, temporary rules and regulations without regard to the following procedure: *Provided, further,* That if any interested person makes written request for the issuance, amendment, or repeal of any rule, the market administrator shall within 30 days either issue notice of meeting pursuant to paragraph (a) of this section or deny such request, and except in affirming a prior denial, or where the denial is self-explanatory, shall state the grounds for such denial.

(a) All proposed rules and regulations and amendments thereto shall be the subject of a meeting called by the market administrator, at which time all interested persons shall have opportunity to be heard. Notice of such meeting shall be given by the market administrator, and a copy of the proposed rules and regulations shall be sent at least five days prior to the date of the meeting to all handlers operating pool plants. A stenographic record shall be made at all such meetings and such record shall be public information available for inspection at the office of the market administrator.

(b) A period of at least five days after the meeting held pursuant to paragraph (a) of this section shall be allowed for the filing of briefs. Such briefs shall be public information available for inspection at the office of the market administratior.

(c) Not later than 30 days after a meeting held pursuant to paragraph (a) of this section, the market administrator shall issue and send to all handlers operating pool plants the tentative rules and regulations or amendments thereto relating to the issues considered at such meeting, or a tentative notice that no rules or regulations or amendments thereto are to be issued prior to further consideration at another meeting. The tentative rules and regulations, or tentative notice, together with copies of the stenographic record and briefs, shall also at the same time be forwarded by the market administrator to the Secretary.

(d) Not later than 30 days after issuance by the market administrator, the Secretary shall either approve the tentative rules and regulations or tentative notice as issued, or direct the market administrator to reconsider. In which latter event, the market administrator shall within 30 days either issue revised tentative rules and regulations or tentative notice, or call another meeting pursuant to paragraph (a) of this section.

(e) The tentative rules and regulations and amendments thereto or tentative notice issued pursuant to paragraph (c) of this section shall be effective as of the first of the month following approval by the Secretary, but not sooner than ten days after issuance by the market administrator.

§ 927.37 *Classes of utilization.* Subject to all of the conditions set forth in §§ 927.30 through 927.36, milk shall be classified at the plant at which classification is to be determined as follows:

(a) Class I–A milk shall be all milk, except as provided in paragraphs (b) and (c) of this section and in subparagraphs (3) and (5) of paragraph (e) of this section, the butterfat from which leaves or is on hand at the plant in the form of milk, concentrated fluid milk, fluid milk products, or as cultured or flavored milk drinks containing 3.0 percent or more but not more than 5.0 percent of butterfat, and all milk the classification of which is not established in some other class named in this section.

(b) Class I–B milk shall be all milk, except as provided in subparagraphs (3) and (5) of paragraph (e) of this section, the butterfat from which leaves the plant in the form of milk, concentrated fluid milk, fluid milk products, or as cultured or flavored milk drinks containing 3.0 percent or more but not more than 5.0 percent of butterfat, and which is delivered to a plant or a purchaser in an area regulated by another order of the Secretary, but which at no time (1) is received at a plant in the marketing area, or (2) otherwise enters the marketing area except as an incident to its transportation and delivery to a point outside of the marketing area: *Provided,* That use aboard a ship or other carrier shall not constitute such delivery.

(c) Class I–C milk shall be all milk, except as provided in subparagraphs (3) and (5) of paragraph (e) of this section, the butterfat from which leaves the plant in the form of milk, concentrated fluid milk, fluid milk products, or as cultured or flavored milk drinks containing 3.0 percent or more but not more than 5.0 percent of butterfat, and which is delivered to a plant or a purchaser in an area not regulated by another order of the Secretary, but which at no time (1) is received at a plant in the marketing area, or (2) otherwise enters the marketing area except as an incident to its transportation and delivery to a point outside of the marketing area: *Provided,* That use aboard a ship or other carrier shall not constitute such delivery.

(d) Class II milk shall be all milk the butterfat from which leaves or is on hand at the plant in the form of cream, sweet or sour, fluid cream products, or in the form of cultured or flavored milk drinks containing less than 3.0 percent or more than 5.0 percent of butterfat, unless such cream fluid cream products, or cultured or flavored milk drinks are established to have been so handled or marketed as to classify such milk in some other class named in this section.

(e) Class III milk shall be all milk which meets the conditions set forth in any one of the following subparagraphs:

(1) All milk the butterfat from which leaves or is on hand at the plant in the form of cultured or flavored milk drinks containing less than 3.0 percent or more than 5.0 percent of butterfat or in the form of cream, or fluid cream products which cream, fluid cream products, or cultured or flavored milk drinks is delivered to a plant or a purchaser outside the marketing area, but which at no time (i) is received at a plant in the marketing area, or (ii) otherwise enters the marketing area except as an incident to its transportation and delivery to a point outside of the marketing area: *Provided,* That use aboard a ship or other carrier shall not constitute such delivery.

(2) All milk the butterfat from which leaves or is on hand at the plant in the form of cream which is subsequently held in a licensed cold storage warehouse for at least 28 days, and which is subject at all times until utilization of such cream to being inspected by a representative of the market administrator to determine the physical presence of the cream. After the first 7 days, such cream may be moved from one licensed cold storage warehouse to another: *Provided,* That the market administrator receives notice of such removal within 7 days thereafter. Any handler whose report claimed the original classification of milk pursuant to this subparagraph shall be liable under the provisions of § 927.75 for the difference between the Class II and Class III prices for the month in which the Class III classification was claimed on any such milk if the storage of cream does not comply with all the requirements of this subparagraph.

(3) All milk the butterfat from which leaves the plant in the form of products named in paragraphs (a), (b), (c), or (d), of this section if such products have been sterilized and leave the plant in hermetically sealed containers.

(4) All milk received during the months of March through July the butterfat from which leaves the plant in the form of milk which is delivered in bulk to an establishment outside the marketing area (other than a plant as defined in § 927.8), at which food products are processed and packed in hermetically sealed containers and at which establishment there is no disposition of milk or milk products specified in paragraphs (a), (b), (c), or (d) of this section other than milk or milk products

received in consumer packages for consumption on the premises.

(5) All milk the butterfat from which leaves or is on hand at the plant in the form of concentrated fluid milk which is established not to have been packaged in consumer packages either before or after leaving the plant.

(6) All milk the butterfat from which leaves or is on hand at the plant in the form of some product the classification of which is not established in some other class named in this section.

MINIMUM PRICES

§ 927.40 *Class prices.* For milk received during each month from producers or cooperative associations of producers, each handler shall pay per hundredweight not less than the prices set forth in this section, subject to the differentials and adjustments in §§ 927.41 through 927.44. Any handler who purchases or receives, during any month, milk from a cooperative association of producers which is also a handler shall, on or before the 15th day of the following month, pay such cooperative association in full for such milk at not less than the minimum class prices applicable pursuant to this section, subject to the differentials and adjustments in §§ 927.41 through 927.44.

(a) For Class I–A milk the price during each month shall be a price computed pursuant to subparagraphs (1) through (11) of this paragraph:

(1) Divide by 164.9 the monthly wholesale price index for all commodities in the second preceding month as reported by the Bureau of Labor Statistics, United States Department of Labor, with the year 1926 as the base period. Express the result to three decimal places.

(2) Multiply the base price of $5.66 by the result determined pursuant to subparagraph (1) of this paragraph. Express the result to the nearest cent.

(3) For each month during the 3-year period ending with the second preceding month, calculate to one decimal place the percentage that the total volume of milk in Classes I–A, I–B, and I–C was of the total volume of reported receipts of milk from producers and from unrevealed sources (these percentages to be referred to as utilization percentages).

(4) Calculate the average of the 36 monthly utilization percentages for the 3-year period ending with the second preceding month.

(5) Calculate the average of the 6 utilization percentages for the second and third preceding months and for the same months of the 2 preceding years.

(6) Divide the result determined pursuant to subparagraph (5) of this paragraph by the result determined pursuant to subparagraph (4) of this paragraph expressing the result to three decimal places.

(7) Calculate the average of the 2 utilization percentages in the second and third preceding months.

(8) Divide the result determined pursuant to subparagraph (7) of this paragraph by the result determined pursuant to subparagraph (6) of this paragraph. Express the result to one decimal place and add 100.

(9) Calculate a utilization adjustment percentage by subtracting the base utilization percentage of 63.6 from the result determined pursuant to subparagraph (8) of this paragraph.

(10) Multiply the result determined pursuant to subparagraph (2) of this paragraph by the utilization adjustment percentage determined pursuant to subparagraph (9) of this paragraph.

(11) Multiply the result determined pursuant to subparagraph (10) of this paragraph by the following seasonal adjustment factor for the month for which the Class I–A price is being determined:

January	1.05	July	0.95
February	1.03	August	1.00
March	1.00	September	1.04
April	0.94	October	1.07
May	0.88	November	1.09
June	0.88	December	1.07

(b) Whenever any of the following conditions exist for 3 consecutive months, the Secretary shall call a public hearing promptly to consider those and other economic conditions, or promptly announce his determination that such a hearing should not be held, together with reasons for such determination:

(1) There is a difference of more than 6 points for each of 3 consecutive months between the index of the cost of production announced pursuant to § 927.46 (a) (6) and the index of wholesale prices (1948 base) announced pursuant to § 927.46 (a) (1).

(2) There is a difference of more than 15 points for each of 3 consecutive months between the index of the cost of production announced pursuant to § 927.46 (a) (6) and the index of the Class I–A price announced pursuant to § 927.46 (a) (7).

(3) The Class I–A price for each of 3 consecutive months is less than $1.00 higher than the condensery price announced pursuant to § 927.46 (a) (8) for such months or more than $2.50 higher than such condensary price.

(c) For Class I–B milk the price during each month shall be the price for Class I–A milk.

(d) For Class I–C milk the price shall be the uniform price computed by the market administrator pursuant to § 926.61 plus 20 cents per hundredweight.

(e) For Class II milk the price during each month shall be the sum of the amounts computed pursuant to subparagraphs (1) and (2) of this paragraph.

(1)

U. S. Grade A or U. S. 92-score butter, wholesale, at New York average price announced pursuant to § 927.46 (a) (4) for the period ending on the 24th of the preceding month (cents per pound)	Class II price	
	March through July	August through February
	Dollars per cwt.	*Dollars per cwt.*
Under 21.5	1.35	1.50
21.5 or over, but under 25.0	1.50	1.65
25.0 or over, but under 28.5	1.65	1.80
28.5 or over, but under 32.0	1.80	1.95
32.0 or over, but under 35.5	1.95	2.10
35.5 or over, but under 39.0	2.10	2.25
39.0 or over, but under 42.5	2.25	2.40
42.5 or over, but under 46.0	2.40	2.55
46.0 or over, but under 49.5	2.55	2.70
49.5 or over, but under 53.0	2.70	2.85
53.0 or over, but under 56.5	2.85	3.00
56.5 or over, but under 60.0	3.00	3.15
60.0 or over, but under 63.5	3.15	3.30
63.5 or over, but under 67.0	3.30	3.45
67.0 or over, but under 70.5	3.45	3.60
70.5 or over, but under 74.0	3.60	3.75
74.0 or over, but under 77.5	3.75	3.90
77.5 or over, but under 81.0	3.90	4.05

Should the average butter price set forth above be 81.0 cents or more, the Class II price shall be the price which would result from further extension of this table at the same rate to cover such average butter price.

(2) Multiply by 7.5 the average of all the hot roller process dry skim milk or nonfat dry milk solids quotations for "other brands, human consumption, carlots, bags, or barrels" (using midpoint of any range as one quotation), published for the delivery period in "The Producers' Price-Current," and subtract 48 cents.

(f) For Class III milk, the price shall be computed as follows: Multiply the applicable butterfat value computed pursuant to subparagraph (1) or (2) of this paragraph by 3.5; add an amount obtained by multiplying by 7.8 the weighted average, as computed by the market administrator using a weight of 70 for roller process prices and a weight of 30 for spray process prices, of the prices per pound of roller process and spray process nonfat dry milk solids, for human consumption in carlots, f. o. b. manufacturing plants in the Chicago area, as published by the United States Department of Agriculture for the period from the 26th day of the immediately preceding month through the 25th day of the current month; and subtract 80 cents. The butterfat value for the months of March through July shall be computed pursuant to subpargaraph (1) of this paragraph, and the butterfat value for the months of August through February shall be computed pursuant to subparagraph (2) of this paragraph: *Provided,* That during the months of August through February the butterfat value shall be no lower than that computed pursuant to subparagraph (1) of this paragraph.

(1) To the simple average of the daily wholesale selling prices per pound (using the midpoint of any price range as one price) reported during such month by the United States Department of Agriculture for Grade A or 92-score bulk creamery butter in the New York City market, add two cents and multiply by 1.22.

(2) Divide the audited weighted average price per 40-quart can of 40-percent bottling quality cream f. o. b. Boston as published by the United States Department of Agriculture for such month by 33.48. In the event that no such price is published, the butterfat value shall be computed pursuant to subparagraph (1) of this paragraph.

§ 927.41 *Butterfat differentials.* The minimum price for Class I–A, Class I–B and Class I–C milk shall be plus or minus four cents for each one-tenth of 1 percent of butterfat therein above or below 3.5 percent. The minimum price for Class II and Class III milk shall be plus or minus, for each one-tenth of 1 percent of butterfat therein above or below 3.5 percent, an amount computed as follows: subtract from the respective class prices an amount computed pursuant to § 927.40 (e) (2), and divide by 35.

§ 927.42 *Transportation differentials.* The market administrator shall determine and publicly announce the freight zone for each pool plant located outside

the marketing area. Such freight zones shall be based on the shorter of (a) the railroad mileage distance from the railway shipping point nearest the plant to New York City terminals and (b) the shortest highway mileage distance from the plant to Columbus Circle, New York City, as computed (without using supplements issued thereto) from Mileage Guide No. 5 issued on July 20, 1949, effective August 21, 1949, by the Household Goods Carriers' Bureau, Agent, Washington, D. C. The freight zone for plants located in the marketing area shall be the 1–10 mile zone. The class prices set forth in § 927.40 shall be plus or minus the amounts as set forth in the following schedule:

A	B	C
Freight zone (miles)	Classes I–A, I–B and I–C and skim milk subject to the fluid skim differential	Classes II and III
	Cents per cwt.	*Cents p.. cwt.*
1–10	+15	+8
11–20	+14	+8
21–25	+13	+8
26–30	+13	+7
31–40	+13	+7
41–50	+10.5	+7
51–60	+10.5	+6
61–70	+9.5	+6
71–75	+8	+6
76–80	+8	+5
81–90	+8	+5
91–100	+7	+5
101–110	+7	+4
111–120	+6	+4
121–125	+5	+4
126–130	+5	+3
131–140	+5	+3
141–150	+3.5	+3
151–160	+2.5	+2
161–170	+2.5	+2
171–175	+1.5	+2
176–180	+1.5	+1
181–190	+1.5	+1
191–200	0	+1
201–210	0	0
211–220	−1	0
221–225	−1	0
226–230	−1	−1
231–240	−2	−1
241–250	−2	−1
251–260	−3.5	−2
261–270	−3.5	−2
271–275	−3.5	−2
276–280	−3.5	−3
281–290	−4.5	−3
291–300	−5.5	−3
301–310	−5.5	−4
311–320	−5.5	−4
321–325	−7	−4
326–330	−7	−5
331–340	−7	−5
341–350	−8	−5
351–360	−8	−6
361–370	−8	−6
371–375	−9	−6
376–380	−9	−7
381–390	−9	−7
391–400	−9	−7
401–410	−10.5	−8
411–420	−10.5	−8
421–425	−10.5	−8
426–430	−10.5	−9
431–440	−11.5	−9
441–450	−11.5	−9
451–461	−11.5	−10
461–470	−12.5	−10
471–475	−12.5	−10
476–480	−12.5	−11
481–490	−14	−11
491–500	−14	−11

§ 927.43 *Butter-cheese adjustment.* For milk received from producers which is classified as Class III pursuant to § 927.37 (e) (6), and which leaves or is on hand at the plant at which classification is determined in the form of butter or Cheddar, American Cheddar, Colby, washed curd, or part skim Cheddar cheese, or is assigned to plant loss which pursuant to § 927.34 is associated with such products, there shall be credited to the handler receiving the milk from producers four cents per pound of butterfat in such milk: *Provided,* That the amount so credited shall be reduced one cent per pound of butterfat for each one-tenth by which the ratio of 2.5 exceeds a ratio computed as follows: Add to the New York 92-score butter price for the month announced pursuant to § 927.46 (b) (6) the amount obtained by multiplying by 1.83 the weighted nonfat dry milk solids price for the period ending with the 25th day of the month as announced pursuant to § 927.46 (b) (8); divide this sum by the price of Cheddar cheese for the month as announced pursuant to § 927.46 (b) (9) and round the result to the nearest tenth: *Provided further,* That for such milk received from producers at a plant in a freight zone farther from New York City than the 321–325 mile zone, there shall be deducted from the amount so credited the following amounts per hundredweight of milk:

Zones of plant:	*Cents per hundredweight*
326–350	1
351–375	2
376–400	3
401–425	4
426–450	5
451–475	6
476–500	7

With respect to each plant at which milk received from producers is reported by the handler operating the plant to have been utilized (either at the plant where received or at another plant), in an amount exceeding an average of 4,000 pounds per day in the manufacture of butter or of Cheddar, American Cheddar, Colby, washed curd or part skim Cheddar cheese, the market administrator shall publicly disclose (a) the location of the plant at which the milk was received from producers, and (b) the name of the handler operating such plant. Such public disclosure shall be made monthly on the basis of handlers' monthly reports, and may be made more frequently on the basis of such other utilization reports as may be required by the market administrator.

§ 927.44 *Fluid skim differential.* For skim milk derived from Class II or Class III milk which skim milk enters the marketing area in the form of milk, fluid skim milk, or cultured milk drinks and there utilized or disposed of in one of such forms, and for all other skim milk derived from Class II or Class III milk which is not established to have been otherwise utilized or disposed of the handler shall pay a fluid skim differential per hundredweight computed as follows: Deduct the price of Class II milk computed pursuant to § 927.40 (e) from the price for Class I–A milk computed pursuant to § 927.40 (a), and divide by .9125.

§ 927.45 *Use of equivalent prices.* If for any reason a price (or prices) for milk or any milk product specified in §§ 927.40 through 927.46 for use in computing and announcing class prices and for any other purpose is not reported or published in the manner therein described, the market administrator shall use a price determined by the Secretary to be equivalent to or comparable with the price specified.

§ 927.46 *Announcement of prices.* The market administrator shall publicly announce the following:

(a) Not later than the 25th day of each month, or the next succeeding workday in any month in which the 25th day is a Sunday or holiday:

(1) The monthly wholesale price index for all commodities in the preceding month as reported (with the year 1926 as the base period) by the Bureau of Labor Statistics, United States Department of Labor, and the resulting index obtained by converting the reported index to a 1948 base by dividing it by 1.649.

(2) The utilization adjustment percentage computed pursuant to § 927.40 (a) for the following month.

(3) The preliminary Class I–A price computed pursuant to § 927.40 (a) for the following month.

(4) The average, for the period beginning with the 25th of the immediately preceding month and ending with the 24th of the current month of the highest prices reported daily by the United States Department of Agriculture for U. S. Grade A or U. S. 92-score butter at wholesale in the New York market.

(5) The preliminary calculation for the following month pursuant to § 927.40 (e) (1).

(6) The index of the cost of production for the preceding month computed by the market administrator as follows:

Combine the index numbers for the States of New York, Pennsylvania, and Vermont with weights of 84 for New York, 13 for Pennsylvania, and 3 for Vermont. The index numbers of cost of production for New York shall be index numbers computed by the New York State College of Agriculture at Cornell University (1910–14 base), converted to a 1948 base.

The index numbers of cost of production for Pennsylvania shall be computed by combining the index (using a base of 54 cents and a weight of 50) of hourly composite wage rates, reported for Pennsylvania by the United States Department of Agriculture; the index (using a base of $4.53 and a weight of 30) of all purchases of mixed dairy feeds, reported for Pennsylvania by the United States Department of Agriculture; and the index (using a base of $23.31 and a weight of 20) of prices received by farmers for all hay, baled per ton, reported for Pennsylvania by the United States Department of Agriculture.

The index numbers of cost of production for Vermont shall be computed by combining the index (using a base of 69 cents and a weight of 50) of hourly composite wage rates, reported for Vermont by the United States Department of Agriculture; the index (using a base of $4.63 and a weight of 30) of all purchases of mixed dairy feeds, reported for Vermont by the United States Department of Agriculture; and the index (using a base of $25.42 and a weight of 20) of prices received by farmers for all hay, baled per ton, reported for Vermont by the United States Department of Agriculture.

(7) The index computed by dividing the Class I–A formula price, prior to the

seasonal adjustment, for the following month by $5.66.

(8) The average of prices paid in the preceding month by 18 midwestern condenseries as reported by the United States Department of Agriculture.

(9) Other statistics relating to economic conditions affecting the market supply and demand for milk.

(b) Not later than the 5th day of each month for the preceding month:

(1) The minimum class prices, pursuant to § 927.40.

(2) The butterfat differentials, pursuant to § 927.41.

(3) The butter and cheese adjustment, pursuant to § 927.43.

(4) The fluid skim differential pursuant to § 927.44.

(5) The audited weighted average price per 40-quart can of 40-percent bottling quality cream f. o. b. Boston as published by the United States Department of Agriculture.

(6) The simple average of the daily wholesale selling prices per pound (using the midpoint of any price range as one price) reported by the United States Department of Agriculture for Grade A or 92-score bulk creamery butter in New York City.

(7) The average of the prices (using midpoint of any range as on quotation) reported daily in "The Producers' Price-Current," for hot roller process dry skim milk or nonfat dry milk solids "other brands, human consumption, carlots, bags, or barrels."

(8) The respective averages of the carlot prices per pound of spray process and of roller process nonfat dry milk solids for human consumption, f. o. b. manufacturing plants in the Chicago area as published for the period from the 26th day of the second preceding month through the 25th day of the preceding month by the United States Department of Agriculture, and the weighted average of such two averages using a weight of 70 for roller prices and a weight of 30 for spray prices.

(9) The average selling prices per pound reported by the United States Department of Agriculture for Wisconsin State Brand Cheddars, cars or truckloads, f. o. b. Wisconsin assembly points.

REPORTS OF HANDLERS

§ 927.50 *Monthly reports.* On or before the 10th day of each month, each handler shall report to the market administrator, for the preceding month, in the manner and on forms prescribed by the market administrator, with respect to milk or milk products received at each of his pool plants, and at each of his plants where milk or milk products subjected to payments under § 927.78 were handled, the following:

(a) The total quantity of milk and of each milk product, with the average butterfat content thereof, received from dairy farmers, from other plants, from such handler's own farm, from other handlers, and from other sources:

(b) The total quantity of milk and of each milk product moved out of, or on hand at, such plant, the average butterfat content thereof, and the destination of any milk or milk product the classification of which wholly or partially depends upon its destination, moved out of such plant;

(c) The disposition of milk or milk products at each other plant at which the disposition of any milk or milk products is claimed as the basis of classification, such disposition to be covered by a signed statement of the plant operator if such other plant is not a pool plant;

(d) The computation pursuant to § 927.60 of such handler's net pool obligation; and

(e) The computation of the amount of any payments pursuant to § 927.78.

§ 927.51 *Producer payroll reports.* Each handler shall report with respect to producers as follows:

(a) On or before the 10th day after the end of each month, the information required by the market administrator with respect to producer additions, producer withdrawals, and changes in names of farm operators; and

(b) On or before the last day of each month, such handler's producer payroll for the preceding month, which shall show for each producer:

(1) The total delivery of milk with the average butterfat test thereof,

(2) The amount of payment due such producer,

(3) Any deductions and charges made by the handler,

(4) The net amount of payment to such producer made pursuant to §§ 927.65 through 927.67, and

(5) Such other information with respect thereto as the market administrator may require.

§ 927.52 *Storage cream reports.* On or before the last day of the period for establishing classification pursuant to § 927.32, or, if earlier, not later than 15 days prior to the date of final removal of the cream from storage, each handler who separates milk the cream from which is stored as a basis for Class III classification pursuant to § 927.37 (e) (2) shall report to the market administrator on forms prescribed by the market administrator information with respect to the storage of cream. Failure to make such report shall result in the disallowance of Class III classification pursuant to § 927.37 (e) (2).

The handler who made such reports shall report to the market administrator, not later than the end of the second month following the month during which frozen cream is utilized, information with respect to the utilization of such cream. Failure to make such reports shall result in the disallowance of storage cream payments pursuant to § 927.77 (b).

With respect to notices of transfer of cream filed pursuant to § 927.37 (e) (2) and with respect to storage cream reports filed pursuant to this section, a receipt form acknowledging receipt of such notice or report shall be mailed by the market administrator to the handler within 48 hours after such notice or report is received by the market administrator.

§ 927.53 *Other reports.* At such time as the market administrator may request, each handler shall report to the market administrator in the manner and on forms prescribed by the market administrator:

(a) The total quantity of milk and of each milk product received at his nonpool plants, with the average butterfat content thereof, from dairy farmers, from other plants, from such handler's own farm, from other handlers, and from other sources;

(b) The total quantity of milk and of each milk product moved out of, or on hand at, his non-pool plants, the average butterfat content thereof, and the destination of any milk or milk product moved out of such plants;

(c) Information concerning land, buildings, surroundings, facilities, and equipment at any of his plants;

(d) The current receipts and utilization of milk at each of his pool plants; and

(e) Such other information as may be necessary for the administration of the provisions of this subpart.

§ 927.54 *Verification of reports and payments.* The market administrator shall promptly verify all reports and payments of each handler by audit of such handlers records and of the records of any handler or person upon whose disposition of milk such handler claims classification, and each such handler shall, during the usual hours of business, make available to the market administrator or his representative such records and facilities, of his own or other persons, as will enable the market administrator to:

(a) Verify the receipts and disposition of all milk required to be reported pursuant to §§ 927.50 through 927.53, and, in case of errors or omissions, ascertain the correct figures;

(b) Weigh, sample, and test for butterfat content the milk received from producers and any product of milk upon which classification depends;

(c) Verify the payments to producers prescribed in §§ 927.65 through 927.67; and

(d) Verify all claims for payments pursuant to §§ 927.76 and 927.77.

§ 927.55 *Retention of records.* All books and records required under this subpart to be made available to the market administrator shall be retained by the handler for a period of three years to begin at the end of the calendar month to which such books and records pertain, except that all such books and records pertaining to transactions before August 1, 1946, shall be retained until October 1, 1949: *Provided,* That if, within such three-year period, or before October 1, 1949, whichever is applicable, the market administrator notifies the handler in writing that the retention of such books and records, or of specified books and records, is necessary in connection with a proceeding under section 8c (15) (A) of the act or a court action specified in such notice, the handler shall retain such books and records, or specified books and records, until further written notification from the market administrator. In either case the market administrator shall give further written notification to the handler promptly upon the termination of the litigation or when the records are no longer necessary in connection therewith.

DETERMINATION OF UNIFORM PRICE

§ 927.60 *Net pool obligation of handlers.* Milk received from farms in Nassau or Suffolk Counties, New York, which farms are not approved for sale of milk in New York City, or received from the handler's own farm shall not be included in the determination of the uniform price, and such milk shall be deemed to be excluded by the phrase, "milk received from producers" as such phrase is used in this section and in §§ 927.43, 927.61, 927.74, 927.76, 927.77 and 927.80.

(a) Determine the classification pursuant to §§ 927.30 through 927.37 of milk received from producers at each pool plant;

(b) Subject to adjustment for appropriate differentials pursuant to §§ 927.41 and 927.42, multiply the Class I–C milk by 20 cents per hundredweight, multiply the remaining milk in each class by the class price, multiply the skim milk subject to the fluid skim differential by the fluid skim differential per hundredweight, and add together the resulting values;

(c) Deduct, in the case of each plant where the average butterfat content of all milk received from producers is in excess of 3.5 percent and add, in the case of each plant where the butterfat content of all milk received from producers is less than 3.5 percent, the total value of the butterfat differential applicable pursuant to § 927.67;

(d) Deduct, in the case of each plant nearer New York City than the 201–210 mile zone, and add, in the case of each plant farther from New York City than the 201–210 mile zone, the sum obtained by multiplying the milk received from producers by the zone differential set forth in column B of the schedule in § 927.42 applicable to the plant;

(e) Deduct the total amount of the butter-cheese adjustment computed pursuant to § 927.43;

(f) With respect to milk received from producers, deduct 30 cents per hundredweight at plants in the marketing area and 20 cents per hundredweight at plants located at Accord, Ellenville, Gardiner, Kyserike, New Paltz, Phinney's Crossing, Wallkill, and West Coxsackie, New York, and in the following counties:

New Jersey counties: Burlington, Essex, Hunterdon, Morris, Passaic, Somerset, Sussex, Union, Warren.

New York counties: Columbia, Dutchess, Orange, Putnam, Rockland.

Connecticut: Litchfield.

Massachusetts: Berkshire.

(g) Add together the handler's net pool obligation for all plants at which milk was received from producers.

§ 927.61 *Computation of the uniform price.* The market administrator shall, on or before the 14th day of each month, audit for mathematical correctness and obvious errors the report submitted for the preceding month by each handler. If the unreserved cash balance in the producer settlement fund to be included in the computation is less than two cents per hundredweight of milk received from producers on all reports, the report of any handler who has not made payment of the last monthly pool debit account rendered pursuant to § 927.71 shall not be included in the computation of the uniform price. The report of such handler shall not be included in the computation for succeeding months until he has made full payment of outstanding monthly pool debits. Subject to the aforementioned conditions, the market administrator shall compute the uniform price in the following manner:

(a) Combine into one total the net pool obligations of all handlers;

(b) Subtract the total of payments required to be made for such month by § 927.76;

(c) Add the total payments required to be made by handlers for such month pursuant to § 927.78;

(d) Add the amount of unreserved cash in the producer settlement fund;

(e) Subtract an amount equal to not less than eight cents nor more than nine cents per hundredweight of milk received from producers to provide against the contingency of errors in reports and payments or of delinquencies in payments by handlers;

(f) Subtract the Class I–C milk of all handlers whose reports are included in this computation from the total milk received from producers by all such handlers; and

(g) Divide the result obtained in paragraph (e) of this section by the result obtained in paragraph (f) of this section. The result shall be known as the uniform price for milk containing 3.5 percent butterfat received from producers at plants in 201–210 mile zone.

§ 927.62 *Announcement of uniform price and weighted average butterfat differential.* The market administrator shall announce not later than the 14th day of each month, the uniform price computed pursuant to § 927.61 and not later than the 5th day of each month, the weighted average butterfat differential pursuant to § 927.67.

PAYMENT BY HANDLERS DIRECTLY TO PRODUCERS

§ 927.65 *Time and rate of payments.* On or before the 25th day of each month each handler shall make payment to each producer for all milk delivered by such producer during the preceding month at not less than the uniform price subject to differentials set forth in §§ 927.66 and 927.67: *Provided,* That each handler which is also a cooperative marketing association determined by the Secretary to be qualified under the Capper-Volstead Act, may, with respect to producers who are members of and under contract with such association, make distribution, in accordance with the contract between the association and such members, of the net proceeds of all its sales in all markets in all use classifications. Whenever verification by the market administrator of the payment to any producer or cooperative association of producers for milk delivered to any handler discloses payment of less than is required by this subpart, the handler shall make up such payment to the producer or cooperative association of producers not later than the time of making payment next following such disclosure: *Provided, further,* That if a handler claims that he cannot make the required payment because the producer is deceased or cannot be located, or because the cooperative association or its lawful successor or assignee is no longer in existence, such payment shall be made to the producer settlement fund, and in the event that the handler subsequently locates and pays the producer or a lawful claimant, or in the event that the handler no longer exists and a lawful claim is later established, the market administrator shall make such payment from the producer settlement fund to the handler or to the lawful claimant as the case may be: *Provided, further,* That if not later than the date when such payment is required to be made, legal proceedings have been instituted by the handler for the purpose of administrative or judicial review of the market administrator's finding upon verification as provided above, such payment shall be made to the producer settlement fund and shall be held in reserve until such time as the above-mentioned proceedings have been completed, or until the handler submits proof to the market administrator that the required payment has been made to the producer or association of producers, in which latter event the payment shall be refunded to the handler.

§ 927.66 *Transportation and location differentials.* The uniform price at any plant shall be:

(a) Plus or minus the differential shown in column B of the schedule contained in § 927.42 for the zone of the plant in effect pursuant to § 927.42; and

(b) Plus the differentials, if any, applicable pursuant to § 927.60 (f) plus five cents.

§ 927.67 *Butterfat differential.* The uniform price shall be plus or minus, as the case may be, for each one-tenth of 1 percent above or below 3.5 percent of average butterfat content of milk delivered by any producer during any month, an amount equivalent to the average of the butterfat differentials determined pursuant to § 927.41, for each class weighted by the pounds of butterfat in the milk in each such class used in the computation of the uniform price for the preceding month. Such differential shall be computed to the nearest even tenth of a cent.

PRODUCER SETTLEMENT FUND AND ITS OPERATION

§ 927.70 *Producer settlement fund.* The market administrator shall establish and maintain a separate fund known as "the producer settlement fund" into which he shall deposit all payments and out of which he shall make all payments pursuant to §§ 927.72 through 927.78.

§ 927.71 *Handlers' accounts.* The market administrator shall establish an account for each handler who is required to make payments to the producer settlement fund or who received payments from the producer settlement fund. After computing the uniform price and each handler's pool debit or credit each month, and at such times as he deems appropriate, the market administrator

shall render each handler a statement of his account showing the debit or credit balance, together with all debits or credits entered on such handler's account since the previous statement was rendered.

§ 927.72 *Payment to the producer settlement fund.* On or before the 18th day of each month each handler shall make full payment of the debit balance, if any, of such handler shown on the last statement of account rendered pursuant to § 927.71.

§ 927.73 *Payments out of producer settlement fund.* On or before the 20th day of each month the market administrator shall make payment to each handler of the credit balance, if any, of such handler shown on the last statement of account rendered pursuant to § 927.71. If, at any such time, the balance in the producer settlement fund is insufficient to make full payment due to each handler, the market administrator shall reduce uniformly the payments to each handler and shall complete such payments as soon as the necessary funds are available. No handler who, on the 25th day of the month, has not received such payments in full from the market administrator shall be deemed to be in violation of §§ 927.65 through 927.67 if he reduces his total payments to producers for milk delivered by such producers during the preceding month by not more than the amount of the reduction in payment from the producer settlement fund.

§ 927.74 *Handlers' pool debit or credit.* After computing the uniform price for each month, the market administrator shall compute each handler's pool debit or pool credit as follows:

(a) Add to each handler's net pool obligations the value of his Class I–C milk at the uniform price.

(b) Multiply the quantity of milk received by each handler from producers by the uniform price.

(c) If the result obtained in paragraph (b) of this section is less than the result in paragraph (a) of this section, the difference shall be entered on the handler's producer settlement fund account as such handler's pool debit.

(d) If the result obtained in paragraph (b) of this section is greater than the result in paragraph (a) of this section, the difference shall be entered on the handler's producer settlement fund account as such handler's pool credit.

§ 927.75 *Adjustments of errors in payments.* Whenever verification by the market administrator of reports or payments of any handler discloses errors made in payments to or from the producer settlement fund, the market administrator shall debit the handler's producer settlement fund account for any unpaid amount. Whenever verification discloses that payment is due from the market administrator to any handler, the market administrator shall credit the handler's producer settlement fund account for any such amount.

§ 927.76 *Cooperative payments.* Any cooperative association of producers may apply to the Secretary for a determination of its qualifications to receive payments pursuant to this section by reason of its having and exercising full authority in the sale of the milk of its members; arranging for and supplying, in a manner commensurate with the marketing capacity of the several types of cooperative associations designated in this section, in times of short supply, Class I milk to the marketing area; securing utilization of milk, in times of long supply, in a manner to assure the greatest possible return to all producers; having its entire activities under the control of its members; and complying with all provisions of this subpart applicable to it.

After the Secretary has determined any cooperative to be qualified to receive payments pursuant to this section, such cooperative shall, from time to time, as requested by the market administrator, make reports to the market administrator with respect to services rendered to the market and the use of the sums received under this section. Whenever the market administrator has reason to believe that any cooperative qualified by the Secretary is failing to perform the obligations covered by the payments under this section, he shall suspend and hold in reserve such payments, notifying the Secretary and the cooperative of his action and the reasons therefore. Such suspended payments shall be held in reserve until the Secretary has, after hearing, ruled upon the performance of the cooperative and either ordered the suspended payments to be paid to the cooperative in whole or in part or disqualified the cooperative, in which event the balance of payments held in reserve shall be returned to the producer settlement fund.

The market administrator shall make the payments authorized by this section, or issue credit therefor, out of the producer settlement fund on or before the 25th day of each month, subject to verification of the reports upon which such payment is based. Such payments shall be made to each cooperative association of producers under the following conditions and at the following rates:

(a) Three-quarters of one cent per hundredweight of milk received from producers at any handler's plant which was caused to be delivered from its members by such associations and on which such handler has made the reports and payments required by this order;

(b) Except as set forth in paragraph (c) of this section, two cents per hundredweight of milk received from producers at plants of other complying handlers which was reported and collected for by such association; and

(c) Four cents per hundredweight of milk received from producers at plants operated by such association and, if, in addition to the other qualifications, such association has been determined by the Secretary to have sufficient plant capacity to receive all the milk of producers who are members and to be willing and able to receive milk from producers not members, four cents per hundredweight of milk received from producers which was caused by it to be delivered to any other complying handler and which is reported and collected for by such association.

§ 927.77 *Storage cream payments.* (a) For milk received from producers which is classified as Class III pursuant to § 927.37 (e) (2) the butterfat from which is subsequently assigned in accordance with the provisions of the rules and regulations issued by the market administrator pursuant to § 927.36 to sour cream or reconstituted cream shipped to, received in, or distributed in the marketing area, or is not established to have been otherwise utilized, or to be still in storage, the handler required to file reports pursuant to § 927.52 shall pay to the producer settlement fund or be issued debits against balances due to such handler from the producer settlement fund an amount equal to 9 cents per pound of butterfat if the milk was separated in the months of March through July, and 10 cents per pound of butterfat if the milk was separated in the months of August through February.

(b) On the basis of reports pursuant to § 927.52 of the utilization of frozen cream and the market administrator's investigation and audit of such reports, the market administrator shall make payment out of the producer settlement fund to the handler filing such reports, or issue credit against balances due from such handler to the producer settlement fund, an amount equal to the butter-cheese adjustment on each pound of butterfat in such cream which was separated in the months of April through September from milk received from producers and was assigned, in accordance with the provisions of the rules and regulations issued by the market administrator pursuant to § 927.36, to butter in the months of January through March.

§ 927.78 *Payments for milk or milk products from other than producer sources.* Payment shall be made by handlers to producers, through the producer settlement fund, for milk and milk products under conditions, in amounts, and by the handler pursuant to paragraphs (a) through (d) of this section.

(a) Payments shall be made for milk, concentrated fluid milk, fluid milk products, cultured or flavored milk drinks, cream, fluid cream products and skim milk, which milk or milk product meets each of the following conditions:

(1) It was derived from milk received at some plant from dairy farmers (other than the handler operating such plant) who are not producers, and is subsequently moved into the marketing area or to a pool plant; and

(2) The milk or milk equivalent of the butterfat is classified as Class I–A or Class II, or the skim milk is subject to the fluid skim differential.

(b) The amount of payment for the products set forth in paragraph (a) of this section shall be as follows:

(1) If the milk, or the milk equivalent of the butterfat, or the skim milk is classified and paid for under another order issued pursuant to the act, the amount of payment on such products except skim milk shall be any plus amount obtained by subtracting the value of the milk or the milk equivalent of the butterfat at the class price or prices under such order from the value computed in accordance with the classification and

pricing set forth in this subpart. The amount of payment on skim milk shall be an amount computed pursuant to § 927.44.

(2) If the milk or milk products is derived from milk the handling of which is not regulated by another order issued pursuant to the act, the amount of payment shall be as follows: for milk, concentrated fluid milk, fluid milk products, or for cultured or flavored milk drinks containing 3.0 percent or more but not more than 5.0 percent of butterfat, the difference between the value of such milk, fluid milk products, cultured or flavored milk drinks, or the milk equivalent of concentrated fluid milk at the Class I–A price in the 201–210 mile zone and the Class III price in the 201–210 mile zone; for cream, fluid cream products, or for cultured or flavored milk drinks containing less than 3.0 percent or more than 5.0 percent of butterfat, the difference between the value of the milk equivalent of such cream, or milk drinks at the Class II price and at the value computed at the Class III price and for skim milk (either as skim milk or in cultured milk drinks), the amount computed pursuant to § 927.44.

(3) In the event that the source of such milk or milk product is not revealed, the amount of the payment shall be as follows: On milk, concentrated fluid milk, fluid milk products, or cultured or flavored milk drinks containing 3.0 percent or more but not more than 5.0 percent of butterfat, the value of such milk, fluid milk products, cultured or flavored milk drinks or the milk equivalent of such concentrated fluid milk at the Class I–A price in the 201–210 mile zone; on cream, fluid cream products, or cultured or flavored milk drinks containing less than 3.0 percent or more than 5.0 percent of butterfat, the value of the milk equivalent of such product at a rate per hundredweight computed pursuant to § 927.40 (e) (1); and on skim milk in the form of fluid skim milk or cultured milk drinks containing less than 3.0 percent or more than 5.0 percent of butterfat, the value at a rate per hundredweight computed as follows: divide the amount computed pursuant to § 927.40 (e) (2) by 0.9125 and add an amount computed pursuant to § 927.44.

(4) In computing the milk equivalent value of products as specified in this paragraph, such value shall be computed on the basis of milk containing 3.5 percent of butterfat.

(c) Payment for any milk or milk product pursuant to this section shall be made only once and shall be made by the appropriate handler as set forth in the following provisions:

(1) By the handler first receiving the milk or milk product at a pool plant outside the marketing area:

(2) By the handler operating the plant where the milk or milk product is first received in the marketing area if the milk or milk product is not received at a pool plant outside the marketing area; or

(3) By the handler operating the plant from which the milk or milk product was moved into the marketing area if such milk or milk product is neither received at a pool plant outside the marketing area nor at a plant in the marketing area.

(d) The amount due pursuant to this section shall be entered on the handler's account as a debit immediately after the filing of the report pursuant to § 927.50.

EXPENSE OF ADMINISTRATION

§ 927.80 *Payment by handlers.* As his pro rata share of the expense of administration of this subpart, each handler shall, on or before the 18th day of each month, pay to the market administrator a sum not exceeding two cents per hundredweight on the total quantity of milk which was received from producers at plants operated by such handler, directly or at the instance of a cooperative association of producers, the exact amount to be determined by the market administrator subject to review by the Secretary. This section shall not be deemed to duplicate any similar payment by any handler under an order issued by the Commissioner of Agriculture and Markets of the State of New York, with respect to the marketing area. Whenever verification by the market administrator discloses an error in the payment made by any handler, such error shall be adjusted not later than the date next following such disclosure on which payments are due pursuant to this section.

MISCELLANEOUS

§ 927.85 *Termination of obligations.* The provisions of this section shall apply to any obligation under this subpart for the payment of money irrespective of when such obligation arose, except an obligation involved in an action instituted before August 1, 1949, under section 8c (15) (A) of the act or before a court.

(a) The obligation of any handler to pay money required to be paid under the terms of this subpart shall, except as provided in paragraphs (b) and (c) of this section, terminate two years after the last day of the calendar month during which the market administrator receives the handler's utilization report on the milk involved in such obligation, unless within such period the market administrator notifies the handler in writing that such money is due and payable. Service of such notice shall be complete upon mailing to the handler's last known address, and it shall contain, but need not be limited to, the following information:

(1) The amount of the obligation;

(2) The month(s) during which the milk, with respect to which the obligation exists, was received or handled; and

(3) If the obligation is payable to one or more producers or to an association of producers, the name of such producer(s) or association of producers, or if the obligation is payable to the market administrator, the account for which it is to be paid.

(b) If a handler fails or refuses, with respect to any obligation under this subpart, to make available to the market administrator or his representatives all books and records required by this subpart to be made available, the market administrator may, within the two-year period provided for in paragraph (a) of this section, notify the handler in writing of such failure or refusal. If the market administrator so notifies a handler, the said two-year period with respect to such obligation shall not begin to run until the first day of the calendar month following the month during which all such books and records pertaining to such obligation are made available to the market administrator or his representatives.

(c) Notwithstanding the provisions of paragraphs (a) and (b) of this section, a handler's obligation under this subpart to pay money shall not be terminated with respect to any transaction involving fraud or willful concealment of a fact, material to the obligation, on the part of the handler against whom the obligation is sought to be imposed.

(d) Any obligation on the part of the market administrator to pay a handler any money which such handler claims to be due him under the terms of this subpart shall terminate two years after the end of the calendar month during which the milk involved in the claim was received (or with respect to storage cream payments pursuant to § 927.77 (b) two years after the end of the calendar month during which such cream is utilized) if an underpayment is claimed, or two years after the end of the calendar month during which the payment (including deduction or set-off by the market administrator) was made by the handler if a refund on such payment is claimed, unless such handler, within the applicable periods of time, files pursuant to section 8c (15) (A) of the act, a petition claiming such money.

§ 927.86 *Continuing obligation of handlers.* Unless otherwise provided by the Secretary in any notice of amendment, termination, or suspension of any or all of the provisions of this subpart, such amendment, termination, or suspension shall not affect, waive, or terminate any right, duty, obligation, or liability which shall have risen or may thereafter arise in connection with any provision of this subpart; release or waive any violation of this subpart occurring prior to the effective date of such amendment, termination, or suspension; or affect or impair any rights or remedies of the Secretary or of any other person with respect to any such violations.

§ 927.87 *Continuing power and duty of market administrator.* The market administrator shall (a) continue in such capacity until discharged by the Secretary; (b) from time to time account for all receipts and disbursements and deliver all funds or property on hand, together with the books and records of the market administrator, to such person as the Secretary shall direct; and (c) if so directed by the Secretary execute such assignments or other instruments necessary or appropriate to vest in such person full title to all funds, property, and claims vested in the market administrator pursuant to this subpart.

§ 927.88 *Liquidation.* Upon the termination or suspension of this subpart, the market administrator shall, if so directed by the Secretary, liquidate the business of the market administrator's office and dispose of all funds and prop-

erty then in his possession or under his control, together with claims for any funds which are unpaid and owing at the time of such termination or suspension. Any funds collected for expenses, pursuant to the provisions of this subpart, over and above the amounts necessary to meet outstanding obligations and the expenses necessarily incurred by the market administrator in liquidating the business of the market administrator's office shall be distributed by the market administrator to handlers in an equitable manner.

§ 927.89 *Agents.* The Secretary may, by designation in writing, name any officer or employee of the United States to act as his agent or representative in connection with any of the provisions of this subpart.

Issued at Washington, D. C., this 19th day of December 1951, to be effective on and after January 1, 1952.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 51-15184; Filed, Dec. 21, 1951; 8:53 a. m.]

[Lemon Reg. 414]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

§ 953.521 *Lemon Regulation 414*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953; 14 F. R. 3612), regulating the handling of lemons grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of the quantity of such lemons which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. Shipments of lemons, grown in the State of California or in the State of Arizona, are currently subject to regulation pursuant to said amended marketing agreement and order; the recommendation and supporting information for regulation during the period specified herein was promptly submitted to the Department after an open meeting of the Lemon Administrative Committee on December 19, 1951, such meeting was held, after giving due notice thereof to consider recommendations for regulation, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter specified; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time thereof.

(b) *Order.* (1) The quantity of lemons grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., P. s. t., December 23, 1951, and ending at 12:01 a. m., P. s. t., December 30, 1951, is hereby fixed as follows:

(i) District 1: 39 carloads;

(ii) District 2: 171 carloads;

(iii) District 3: 15 carloads.

(2) The prorate base of each handler who has made application therefor, as provided in the said amended marketing agreement and order, is hereby fixed in accordance with the prorate base schedule which is attached to Lemon Regulation No. 413 (16 F. R. 12633) and made a part hereof by this reference.

(3) As used in this section, "handled," "handler," "carloads," "prorate base," "District 1," "District 2," and "District 3," shall have the same meaning as when used in the said amended marketing agreement and order.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 20th day of December 1951.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R Doc. 51-15230; Filed, Dec. 21, 1951; 9:48 a. m.]

[Orange Reg. 402, Amdt. 1]

PART 966—ORANGES GROWN IN CALIFORNIA OR IN ARIZONA

LIMITATION OF SHIPMENTS

Findings. 1. Pursuant to the provisions of Order No. 66 (7 CFR, Part 966) regulating the handling of oranges grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendation and information submitted by the Orange Administrative Committee, established under the said order, and upon other available information, it is hereby found that the limitation of the quantity of such oranges which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

2. It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this amendment until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient; and this amendment relieves restrictions on the handling of oranges grown in the State of California or in the State of Arizona.

Order, as amended. The provisions in paragraph (b) (1) (ii) (*a*) of § 966.548 (Orange Regulation 402, 16 F. R. 12636) are hereby amended to read as follows:

(ii) Oranges other than Valencia oranges * * *

(*a*) Prorate District No. 1: 400 carloads;

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 20th day of December 1951.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 51-15231; Filed, Dec. 21, 1951; 9:48 a. m.]

[Orange Reg. 403]

PART 966—ORANGES GROWN IN CALIFORNIA OR IN ARIZONA

LIMITATION OF SHIPMENTS

§ 966.549 *Orange Regulation 403*—(a) *Findings.* (1) Pursuant to the provisions of Order No. 66, as amended (7 CFR Part 966; 14 F. R. 3614), regulating the handling of oranges grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and upon the basis of the recommendation and information submitted by the Orange Administrative Committee, established under the said amended order, and upon other available information, it is hereby found that the limitation of the quantity of such oranges which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the

time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. Shipments of oranges, grown in the State of California or in the State of Arizona, are currently subject to regulation pursuant to said amended order; the recommendation and supporting information for regulation during the period specified herein was promptly submitted to the Department after an open meeting of the Orange Administrative Committee on December 20, 1951, such meeting was held, after giving due notice thereof to consider recommendations for regulation, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter specified; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time thereof.

(b) *Order.* (1) Subject to the size requirements in Orange Regulation 372, as amended (7 CFR 966.518; 16 F. R. 4678, 5652), the quantity of oranges grown in the State of California or in the State of Arizona which may be handled during the period beginning 12:01 a. m., p. s. t., December 23, 1951, and ending at 12:01 a. m., p. s. t., December 30, 1951, is hereby fixed as follows:

(i) *Valencia Oranges.* (*a*) Prorate District No. 1: No movement;

(*b*) Prorate District No. 2: Unlimited movement;

(*c*) Prorate District No. 3: No movement;

(*d*) Prorate District No. 4: No movement.

(ii) *Oranges other than Valencia Oranges.* (*a*) Prorate District No. 1: 600 carloads;

(*b*) Prorate District No. 2: 140 carloads;

(*c*) Prorate District No. 3: 75 carloads;

(*d*) Prorate District No. 4: Unlimited movement.

(2) The prorate base of each handler who has made application therefor, as provided in the said amended order, is hereby fixed in accordance with the prorate base schedule which is attached hereto and made a part hereof by this reference.

(3) As used in this section, "handled," "handler," "varieties," "carloads," and "prorate base" shall have the same meaning as when used in the said amended order; and the terms "Prorate District No. 1," "Prorate District No. 2," "Prorate District No. 3," and "Prorate District No. 4" shall each have the same meaning as given to the respective terms in § 966.107, as amended (15 F. R. 8712), of the current rules and regulations (7 CFR 966.103 et seq.), as amended (15 F. R. 8712).

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 21st day of December 1951.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

PRORATE BASE SCHEDULE

[12:01 a. m., P. s. t., Dec. 23, 1951, to 12:01 a. m., P. s. t., Dec. 30, 1951]

ALL ORANGES OTHER THAN VALENCIA ORANGES

Prorate District No. 1

Handler	*Prorate base (percent)*
Total	100.0000
A. F. G. Lindsay	1.6597
A. F. G. Porterville	1.6535
Ivanhoe Cooperative Association	.7487
Placentia Cooperative Orange Association	.0000
Sandilands Fruit Co	.5080
Doffiemyer & Son, W. Todd	.6725
Earlibest Orange Association	1.9692
Elderwood Citrus Association	.7532
Exeter Citrus Association	3.6275
Exeter Orange Growers Association	1.7437
Exeter Orchard Association	1.6025
Hillside Packing Association	1.4234
Ivanhoe Mutual Orange Association	1.2558
Klink Citrus Association	4.2872
Lemon Cove Association	1.6274
Lindsay Citrus Growers Association	2.4963
Lindsay Cooperative Citrus Association	.6446
Lindsay Fruit Association	1.7050
Lindsay Orange Growers Association	.7853
Naranjo Packing House Co	1.2081
Orange Cove Citrus Association	3.9837
Orange Packing Co	1.3014
Orosi Foothill Citrus Association	1.8788
Paloma Citrus Fruit Association	.9116
Rocky Hill Citrus Association	1.7195
Sanger Citrus Association	4.5949
Sequoia Citrus Association	.9961
Stark Packing Corp	3.3687
Visalia Citrus Association	2.3033
Waddell & Son	1.9744
Baird-Neece Corp	1.7077
Beattie Association, D. A	.6292
Grand View Heights Citrus Association	2.7600
Magnolia Citrus Association	2.1106
Porterville Citrus Association, The	1.4532
Richgrove Citrus Association	1.5830
Strathmore Cooperative Association	.9239
Strathmore District Orange Association	1.9579
Strathmore Packing House Co	2.0511
Sunflower Packing Association	2.7247
Sunland Packing House Co	2.5612
Terra Bella Citrus Association	1.6480
Tule River Citrus Association	.9924
Euclid Ave. Orange Association	.3236
Lindsay Mutual Groves	1.0873
Martin Ranch	1.9691
Orange Cove Orange Growers	2.8383
Woodlake Packing House	2.4359
Anderson Packing Co., R. M	.5862
Baker Bros	.2535
Barnes, J. L	.0192
Batkins, Fred	.0683
Bear State Packers, Inc	.2635
California Citrus Groves, Inc., Ltd	2.0179
Chess Co., Meyer W	.1910
Clemente, Lorenzo	.1039

PRORATE BASE SCHEDULE—Continued

ALL ORANGES OTHER THAN VALENCIA ORANGES—continued

Prorate District No. 1—Continued

Handler	*Prorate base (percent)*
Collum, J. B	0.0127
Darby, Fred J	.0344
Darling, Curtis	.0009
Dubendorf, John	.1299
Edison Groves Co	.0000
Evans Bros. Packing Co	.1009
Granada Packing House	.0141
Haas, W. H	.1688
Harding & Leggett	2.2476
Independent Growers, Inc	1.6142
Kim, Charles N	.0551
Kroells, Packing Co	1.7173
Larson, Louis	.1407
Lo Bue Bros	.5489
Maas, W. A	.0718
Marks, W. & M	.4209
Nicholas, Joe	.0211
Nicholas, Richard	.0041
Paramount Citrus Association	.2392
Powell, John W	.0211
Randolph Marketing Co	1.8839
Reimers, Don H	.5603
Terry, Floyd J	.1251
Toy, Chin	.0332
Zaninovich Bros., Inc	1.1692

Prorate District No. 2

Total:	100.0000
A. F. G. Alta Loma	.2119
A. F. G. Corona	.2775
A. F. G. Fullerton	.0328
A. F. G. Orange	.0392
A. F. G. Riverside	.6981
A. F. G. Santa Paula	.0478
Eadington Fruit Co., Inc	.7138
Hazeltine Packing Co	.0739
Krinard Packing Co	2.0995
Placentia Cooperative Orange Association	.5471
Placentia Pioneer Valencia Growers Association	.0443
Signal Fruit Association	.9875
Azusa Citrus Association	1.1407
Covina Citrus Association	1.4823
Covina Orange Growers Association	.4698
Damerel-Allison Association	1.0557
Glendora Citrus Association	1.5359
Glendora Mutual Orange Association	.5746
Valencia Heights Orchard Association	.2367
Gold Buckle Association	2.8705
La Verne Orange Association	4.4397
Anaheim Valencia Orange Association	.0143
Fullerton Mutual Orange Association	.3893
La Habra Citrus Association	.1605
Yorba Linda Citrus Association, The	.0581
Escondido Orange Association	.5253
Alta Loma Heights Citrus Association	.3633
Citrus Fruit Growers	.8694
Etiwanda Citrus Fruit Association	.1584
Mountain View Fruit Association	.1231
Old Baldy Citrus Association	.4362
Rialto Heights Orange Growers	.3491
Upland Citrus Association	2.2973
Upland Heights Orange Association	1.4147
Consolidated Orange Growers	.0252
Frances Citrus Association	.0127
Garden Grove Citrus Association	.0271
Goldenwest Citrus Association	.1413
Olive Heights Citrus Association	.0434
Santa Ana-Tustin Mutual Citrus Association	.0151
Santiago Orange Growers Association	.1486
Tustin Hills Citrus Association	.0190
Villa Park Orchard Association	.0346

PRORATE BASE SCHEDULE—Continued

ALL ORANGES OTHER THAN VALENCIA ORANGES—continued

Prorate District No. 2—Continued

Handler	Prorate base (percent)
Bradford Bros., Inc	0.2105
Placentia Mutual Orange Association	.2132
Placentia Orange Growers Association	.1957
Yorba Orange Growers Association	.0582
Corona Citrus Association	.9528
Jameson Co	.6303
Orange Heights Orange Association	3.1736
Crafton Orange Growers Association	1.0946
East Highlands Citrus Association	.4345
Redlands Heights Groves	.7141
Redlands Orangedale Association	1.0885
Rialto-Fontana Citrus Association	.4256
Break & Son, Allen	.2792
Bryn Mawr Fruit Growers Association	1.2210
Mission Citrus Association	1.1609
Redlands Cooperative Fruit Association	1.6119
Redlands Orange Growers Association	1.0340
Redlands Select Groves	.5513
Rialto Orange Co	.6077
Southern Citrus Association	.7532
United Citrus Growers	.8393
Zilen Citrus Co	.5199
Arlington Heights Citrus Co	1.3434
Brown Estate, L.V.W	1.8741
Gavilan Citrus Association	1.9419
Highgrove Fruit Association	.6991
McDermont Fruit Co	1.7615
Monte Vista Citrus Association	1.4496
National Orange Co	1.3120
Riverside Citrus Association	.2038
Riverside Heights Orange Growers Association	1.0577
Sierra Vista Packing Association	.8257
Victoria Ave. Citrus Association	3.3069
Claremont Citrus Association	.9163
College Heights Orange and Lemon Association	1.5274
Indian Hill Citrus Association	1.2371
Pomona Fruit Growers Exchange	1.9090
Walnut Fruit Growers Association	.5996
West Ontario Citrus Association	1.1674
El Cajon Valley Citrus Association	.2036
Escondido Cooperative Citrus Association	.0457
San Dimas Orange Growers Association	1.1939
North Whittier Heights Citrus Association	.1554
San Fernando Heights Orange Association	.3609
Sierra Madre-Lamanda Citrus Association	.1263
Camarillo Citrus Association	.0050
Fillmore Citrus Association	1.0633
Ojai Orange Association	.7002
Piru Citrus Association	1.1261
Rancho Sespe	.0011
Santa Paula Orange Association	.1041
East Whittier Citrus Association	.0028
Murphy Ranch Co	.0579
Anaheim Cooperative Orange Association	.0460
Bryn Mawr Mutual Orange Association	.5369
Chula Vista Mutual Lemon Association	.0810
Euclid Ave. Orange Association	2.6381
Foothill Citrus Union, Inc	.5385
Fullerton Cooperative Orange Association	.0084
Garden Grove Orange Cooperative Inc	.0359
Golden Orange Groves, Inc	.2493
Index Mutual Association	.0076

PRORATE BASE SCHEDULE—Continued

ALL ORANGES OTHER THAN VALENCIA ORANGES—continued

Prorate District No. 2—Continued

Handler	Prorate base (percent)
La Verne Cooperative Citrus Association	4.1001
Mentone Heights Association	.6732
Olive Hillside Groves	.0079
Redlands Foothill Groves	2.3492
Redlands Mutual Orange Association	1.1413
Ventura County Orange & Lemon Association	.3322
Whittier Mutual Orange & Lemon Association	.0173
Allec Bros	.0028
Babijuice Corp. of California	.2703
Becker, Samuel Eugene	.0094
Book, Maynard C	.0004
Cherokee Citrus Co., Inc	1.1072
Chess Co., Meyer W	.4905
Dunning Ranch	.2159
Evans Bros. Packing Co	.8191
Gold Banner Association	1.7785
Granada Packing House	.1791
Hill Packing House, Fred A	.8429
Holland, M. J	.0147
Knapp Packing Co., John C	.0475
Orange Belt Fruit Distributors	1.7588
Orange Hill Groves	.3989
Panno Fruit Co., Carlo	.0615
Paramount Citrus Association	.0739
Placentia Orchard Co	.0752
Ronald, P. W	.0384
Stevens & Cain	.2777
Wall, E. T., Grower-Shipper	2.0679
Western Fruit Growers, Inc	3.4109

Prorate District No. 3

Total	100.0000
Consolidated Citrus Growers	15.0481
McKellips Citrus Co., Inc	7.3591
Phoenix Citrus Packing Co	1.4347
Arizona Citrus Growers	22.3240
Chandler Heights Citrus Growers	1.9780
Desert Citrus Growers Co	6.2754
Mesa Citrus Growers Association	17.3227
Tal-Wi-Wi Ranches	1.2262
Tempe Citrus Co	2.4045
Yuma Mesa Fruit Growers Association	.4821
Maricopa Citrus Co	1.5743
Mesa Harvest Produce Co	9.5648
Pioneer Fruit Co	3.8899
Allen & Allen Citrus Packing Co	1.5399
Bernard, Ray D	.4917
Champion Produce House, L. M	.1702
Clark & Sons Produce Co., J. H	.1645
Commercial Citrus Packing Co	.4142
Ishikawa, Paul	.2487
Macchiaroli Fruit Co., James	1.1468
Mattingly Fruit Co	2.2936
Potato House, The	.2315
Sunny Valley Citrus Packing Co	1.3524
Valley Citrus Packing Co	1.0627

[F. R. Doc. 51-15307; Filed, Dec. 21, 1951; 11:47 a. m.]

TITLE 14—CIVIL AVIATION

Chapter II—Civil Aeronautics Administration, Department of Commerce

[Amdt. 8]

PART 609—STANDARD INSTRUMENT APPROACH PROCEDURES

INTRODUCTION

Notice of the Administrator's intent to amend § 60.46-1 was published on January 3, 1951, in 16 F. R. 22. Interested persons were afforded an opportunity to submit data, views or arguments. Consideration has been given to all relevant matter presented. The provisions of § 60.46-1 were transferred to § 609.3 of this title on July 27, 1951, in 16 F. R. 7351. Section 609.3 is amended to read as follows:

§ 609.3 *Introduction*—(a) *Persons to whom applicable.* The standard instrument approach procedures prescribed in this part (including ceiling and visibility minimums for take-off and landing at particular airports) shall be identical for all users, with the following exceptions: The take-off and landing minimums shall not apply to (1) military aircraft, or (2) users for whom the Administrator has specifically authorized lower minimums. The take-off minimums shall not apply to those users for whom the Administrator has not been authorized to prescribe take-off minimums.

(b) *Use of additional data.* Because of obstructions or rugged terrain adjacent to many airports, the Coast and Geodetic Survey Charts, especially the approach and landing charts, covering the area where an instrument let-down is proposed, should be studied carefully before an approach is made.

(c) *Revisions of procedures.* Revisions of, or additions to standard instrument approach procedures will be published in the FEDERAL REGISTER, and may appear in the Airman's Guide and Flight Information Manual.

(d) *Use of radio navigational facilities requiring flight check.* When a flight check of a radio navigational facility is required, a NOTAM will be issued stating: "Ground checked only, awaiting flight check." When this type of NOTAM is issued, the following will apply:

(1) If the facility is very high frequency, the navigational feature will be shut down and no utilization for navigational purposes will be authorized.

(2) If the facility is low frequency (200 to 400 kcs) non-simultaneous type range, the navigational feature will be shut down and no utilization for navigational purposes will be authorized.

(3) If the facility is low frequency (200 to 400 kcs) simultaneous type range, it may be used as a homing facility only.

(i) In addition, this type of facility may be used as an ADF approach aid by scheduled air carriers, provided that their operations specifications authorize an ADF instrument approach to the airport concerned.

(ii) Irregular air carriers and other operators may use this type of facility as an ADF instrument approach aid if an ADF procedure for the airport concerned is prescribed by the Administrator, or if an approach is conducted using the same course for an ADF track as that specified in the approved range procedure and with identical altitudes as used in the range approach.

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interpret or apply sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551)

These rules shall become effective February 1, 1952.

[SEAL] F. B. LEE,
Acting Administrator of Civil Aeronautics.

[F. R. Doc. 51-15150; Filed, Dec. 21, 1951; 8:49 a. m.]

TITLE 24—HOUSING AND HOUSING CREDIT

Chapter VIII—Office of Rent Stabilization, Economic Stabilization Agency

PART 825—RENT REGULATIONS UNDER THE HOUSING AND RENT ACT OF 1947, AS AMENDED

RECODIFICATION AND TRANSFER

EDITORIAL NOTE: For recodification and transfer of §§ 825.1 to 825.12 to Title 32A, Chapter XXI, see Rent Regulation 1, F. R. Doc. 51-15188 under Title 32A, *infra*.

TITLE 29—LABOR

Chapter V—Wage and Hour Division, Department of Labor

PART 522—EMPLOYMENT OF LEARNERS

KNITTED WEAR INDUSTRY

On November 27, 1951, the Administrator published in the FEDERAL REGISTER (16 F. R. 11932) a proposed amendment to the regulations governing employment of learners in the knitted wear industry at wages lower than the minimum wage established in section 6 of the Fair Labor Standards Act of 1938, as amended, and interested persons were given 15 days to submit data, views or argument pertaining thereto.

All relevant matter submitted has been carefully considered. On the basis of all available information, the proposed change in the regulations appears necessary and appropriate in the light of the standard set forth in section 14 of the act.

Accordingly, pursuant to authority under section 14 of the Fair Labor Standards Act of 1938, as amended (sec. 14, 52 Stat. 1068; 29 U. S. C. 214), § 522.72 is hereby amended to read as follows:

§ 522.72 *Learner wage rate.* The subminimum rate which may be authorized in special certificates issued in the knitted wear industry shall be not less than 65 cents per hour. In establishments where experienced workers are paid on a piece rate basis, learners shall be paid the same piece rates that experienced workers engaged in the same occupation are paid and earnings shall be based on those piece rates if in excess of the subminimum rate authorized in the certificate.

(Sec. 14, 52 Stat. 1068; 29 U. S. C. 214)

The above amendment shall become effective January 21, 1952.

Signed at Washington, D. C., this 19th day of December 1951.

WM. R. MCCOMB,
Administrator, Wage and Hour and Public Contracts Divisions.

[F. R. Doc. 51-15134; Filed, Dec. 21, 1951; 8:48 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[Ceiling Price Regulation 14, Amdt. 10]

CPR 14—CEILING PRICES OF CERTAIN FOODS SOLD AT WHOLESALE

MISCELLANEOUS AMENDMENTS

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 10 to Ceiling Price Regulation 14 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment permits wholesalers covered by this regulation to ignore discounts received from suppliers of cookies, crackers, toast and crumbs in determining their net costs upon which their ceiling prices are based.

Section 4 (a) of CPR 14 which deals with the computation of net cost requires the wholesaler to deduct "all discounts except the discount for prompt payment and swell and label allowances". The majority of the cookie business is done by three or four large firms, all of which give their quantity discounts on a cumulative basis and do not show them on their invoices. In addition, most of the smaller cookie companies use this type of discount for the local areas in which they have store-door delivery and do the larger part of their business. The practice of giving cumulative quantity discounts has been peculiarly characteristic of the cookie industry and deducting such discounts leads to an unintended result because, as it now appears, these discounts were not taken into account in the markups set in Table A of this regulation. Thus, if cumulative quantity discounts are required to be deducted, the present Table A markups for this category would, in effect, be reduced below the level contemplated. In order to bring wholesalers of these foods back to the position in which it was assumed the regulation had placed them, this amendment introduces an exception to the rule for computing net cost. It provides that no discounts for these food items need be deducted.

In addition, this amendment corrects certain clerical errors and certain incorrect classifications of commodities within Table A.

In the formulation of this amendment, the Director of Price Stabilization has consulted with industry representatives to the extent practicable and has given full consideration to their recommendations. In his judgment the provisions of this regulation are generally fair and equitable and are necessary to effectuate the purpose of Title IV of the Defense Production Act of 1950, as amended.

So far as practicable, the Director of Price Stabilization gave due consideration to the national effort to achieve maximum production in furtherance of the objectives of the Defense Production Act of 1950; to prices prevailing during the period from May 24, 1950, to June 24, 1950, inclusive; and to relevant factors of general applicability.

AMENDATORY PROVISIONS

Ceiling Price Regulation 14 is amended in the following respects:

1. Section 4 (a) is amended to read as follows:

(a) *Net cost.* To figure your ceiling price, first find the "net cost" of the item, based on its most recent delivery to you before May 14, 1951. Your "net cost" will be the amount you paid your supplier less all discounts except (1) discounts on items in category # 5, "Cookies, crackers, toast and crumbs", (section 35 (b) (5)), (2) the discount for prompt payment, and (3) swell and label allowances, plus all transportation charges you paid except local trucking and local unloading. This exception shall not apply to any shipments by water. In such cases, there may be added also as part of the cost of transportation the cost of moving the shipment from the place at which it was processed to the dock, the cost of unloading at that dock, wharfage, handling, tollage and usage charges, the cost of marine insurance, the cost of loading the goods on a car, truck or other conveyance at the port of discharge and the cost of transporting that shipment from the port of discharge to receiving point. However, cost of loading the shipment at the place at which it was processed, segregation charges and cost of unloading at receiving point may not be added. Treat as a separate item each kind, brand, grade, variety, container-size and container-type.

2. Section 27a is amended by adding paragraph (c) to read as follows:

(c) Your application must be filed in duplicate with the Distribution Branch, Food and Restaurant Division, Office of Price Stabilization, Washington 25, D. C. You may not price under this section until you have received specific authority in writing from the Director of Price Stabilization to do so.

3. Section 35 (b) (10) is amended by deleting after the words "fruit or berry juices" the following: "and mixtures (except any of the foregoing in containers of a capacity of more than 50 pounds)," and after the words "vegetable juices, and mixtures" inserting the following: "(except any of the foregoing in containers of a capacity of more than 50 pounds)".

4. Section 35 (c) (10) is amended by inserting after the words "berry juices" the following: "vegetables, vegetable juices,".

5. Section 35 (c) (19) is amended by adding the following at the end of the sentence "and any meat or meat product which is in a pliable plastic or similar type of container".

6. Section 35 (c) (3) is amended by deleting the words "chocolate syrup packed in No. 10 tins or larger".

7. Section 35 (b) (36) is amended in the following respects:

a. The following is inserted after the first sentence: "Non-food items are, of course, not included."

b. The words "edible or gloss" and the parenthetical clause "(excluded are powdered prepared laundry starching compounds)" are deleted from the ninth item, corn starch.

8. Section 35 (c) (36) is amended by deleting the item "Bird seed and gravel", the item "Laundry starching compounds, powdered prepared" and the words "edible or gloss" from the tenth item, corn starch.

9. Section 35 (b) (6) is amended by adding after the words "gingerbread mix" the following: "and any item containing ingredients to prepare crust and filling for a pie".

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment shall become effective December 26, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

DECEMBER 21, 1951.

[F. R. Doc. 51-15323; Filed, Dec. 21, 1951; 12:15 p. m.]

[Ceiling Price Regulation 15, Amdt. 9]

CPR 15—CEILING PRICES OF CERTAIN FOODS SOLD AT RETAIL IN GROUP 3 AND GROUP 4 STORES

MISCELLANEOUS AMENDMENTS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 9 to Ceiling Price Regulation 15 is issued.

STATEMENT OF CONSIDERATIONS

This amendment permits retailers covered by this regulation to ignore discounts received from suppliers of cookies, crackers, toast and crumbs in determining their net costs upon which their ceiling prices are based.

Section 4 (a) of CPR 15 which deals with the computation of net cost requires the retailer to deduct "all discounts except the discount for prompt payment and swell and label allowances". The majority of the cookie business is done by three or four large firms, all of which give their quantity discounts on a cumulative basis and do not show them on their invoices. In addition, most of the smaller cookie companies use this type of discount for the local areas in which they have store-door delivery and do the larger part of their business. The practice of giving cumulative quantity discounts has been peculiarly characteristic of the cookie industry and deducting such discounts leads to an unintended result because, as it now appears, these discounts were not taken into account in the markups set in Table A of this regulation. Thus, if cumulative quantity discounts are required to be deducted, the present Table A markups for this category would, in effect, be reduced below the level contemplated. In order to bring retailers of these foods back to the position in which it was assumed the regulation had placed them this amendment introduces an exception to the rule for computing net cost. It provides that no discounts for these food items need be deducted.

This amendment also makes a change in the requirements which must be met by "independent" retail stores in order to qualify for an adjustment under sections 26 and 26a of CPR 15 enabling them to qualify for Group 1 markups. Section 26 requires that an applicant show, among other things, a total gross margin for fiscal 1950 of at least 23 percent on all food department sales in the store for which he is applying, or, if he operates a chain of stores, at least 23 percent on the combined food department sales of all the stores for which he seeks adjustment. Restricting the opportunity to qualify for Group 1 markups by a collective showing to chain stores discriminated against two or more Group 4 "independents" under one ownership which might be otherwise entitled to an adjustment. The requirement in Section 26a is the same except that it requires a 40 percent markup. These amendments eliminate that discrimination and treat chains and independents alike.

In addition, this amendment corrects certain clerical errors and certain incorrect classifications of commodities within Table A.

In the formulation of this amendment, the Director of Price Stabilization has consulted with industry representatives to the extent practicable and has given full consideration to their recommendations. In his judgment the provisions of this regulation are generally fair and equitable and are necessary to effectuate the purpose of Title IV of the Defense Production Act of 1950, as amended.

So far as practicable, the Director of Price Stabilization gave due consideration to the national effort to achieve maximum production in furtherance of the objectives of the Defense Production Act of 1950; to prices prevailing during the period from May 24, 1950, to June 24, 1950, inclusive; and to relevant factors of general applicability.

AMENDATORY PROVISIONS

Ceiling Price Regulation 15 is amended in the following respects:

1. Section 4 (a) is amended to read as follows:

(a) *Net cost.* To figure your ceiling price, first find the "net cost" of the item, based on its most recent delivery to you before May 14, 1951. Your "net cost" will be the amount you paid your supplier less all discounts except (1) discounts on items in Category #5, "Cookies, crackers, toast and crumbs", (section 37 (b) (5)), (2) the discount for prompt payment, and (3) swell and label allowances, plus all transportation charges you paid except local trucking and local unloading. This exception shall not apply to any shipments by water. In such cases, there may be added also as part of the cost of transportation the cost of moving the shipment from the place at which it was processed to the dock, the cost of unloading at that dock, wharfage, handling, tollage and usage charges, the cost of marine insurance, the cost of loading the goods on a car, truck, or other conveyance at the port of discharge and the cost of transporting that shipment from the port of discharge to receiving point. However, cost of loading the shipment at the place at which it was processed, segregation charges and cost of unloading at receiving point may not be added. Treat as a separate item each kind, brand, grade, variety, container-size and container-type of "dry groceries".

2. The first sentence of paragraph (a) (4) of section 26 is amended to read as follows:

(4) The total gross margin in your fiscal year 1950 was at least 23 percent on all sales in your food departments or at least 23 percent on the combined sales of the food departments in all the stores for which you seek adjustment in your organization.

3. The first sentence of paragraph (a) (4) of section 26a is amended to read as follows:

(4) The average markup on "net cost" was at least 40 percent on all food sales for your fiscal year 1950 or at least 40 percent on the combined food sales in all the stores for which you seek adjustment in your organization.

4. Section 37 (b) (10) is amended by deleting after the words "fruit or berry juices" the following: "and mixtures (except any of the foregoing in containers of a capacity of more than 50 pounds)", and after the words "vegetable juices, and mixtures" inserting the following: "(except any of the foregoing in containers of a capacity of more than 50 pounds)".

5. Section 37 (c) (10) is amended by inserting after the words "berry juices" the following: "vegetables, vegetable juices".

6. Section 37 (c) (3) is amended by deleting the words "chocolate syrup packed in No. 10 tins or larger."

7. Section 37 (c) (19) is amended by adding the following at the end of the sentence "and any meat or meat product which is in a pliable plastic or similar type of container."

8. Section 37 (b) (36) is amended in the following respects:

a. The following is inserted after the first sentence: "Non-food items are, of course, not included."

b. The words "edible or gloss" and the parenthetical clause "(excluded are powdered prepared laundry starching compounds)" are deleted from the ninth item, corn starch.

9. Section 37 (c) (36) is amended by deleting the item "Bird seed and gravel", the item "Laundry starching compounds,

powdered prepared", and the words "edible or gloss" from the tenth item, corn starch.

10. Section 37 (b) (6) is amended by adding after the words "gingerbread mix" the following: "and any item containing ingredients to prepare crust and filling for a pie".

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154).

Effective date. This amendment shall become effective December 26, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

DECEMBER 21, 1951.

[F. R. Doc. 51-15321; Filed, Dec. 21, 1951; 12:14 p. m.]

[Ceiling Price Regulation 16, Amdt. 9]

CPR 16—CEILING PRICES OF CERTAIN FOODS SOLD AT RETAIL IN GROUP 1 AND GROUP 2 STORES

MISCELLANEOUS AMENDMENTS

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 9 to Ceiling Price Regulation 16 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment permits retailers covered by this regulation to ignore discounts received from suppliers of cookies, crackers, toast and crumbs in determining their net costs upon which their ceiling prices are based.

Section 4 (2) of CPR 16 which deals with the computation of net cost requires the retailer to deduct "all discounts except the discount for prompt payment and swell and label allowances". The majority of the cookie business is done by three or four large firms, all of which give their quantity discounts on a cumulative basis and do not show them on their invoices. In addition, most of the smaller cookie companies use this type of discount for the local areas in which they have store-door delivery and do the larger part of their business. The practice of giving cumulative quantity discounts has been peculiarly characteristic of the cookie industry and deducting such discounts leads to an unintended result because, as it now appears, these discounts were not taken into account in the markups set in Table A of this regulation. Thus, if cumulative quantity discounts are required to be deducted, the present Table A markups for this category would, in effect, be reduced below the level contemplated. In order to bring retailers of these foods back to the position in which it was assumed the regulation had placed them, this amendment introduces an exception to the rule for computing net cost. It provides that no discounts for these food items need be deducted.

In addition this amendment corrects certain clerical errors and certain incorrect classifications of commodities within Table A.

In the formulation of this amendment, the Director of Price Stabilization has consulted with industry representatives to the extent practicable and has given full consideration to their recommendations. In his judgment the provisions of this regulation are generally fair and equitable and are necessary to effectuate the purpose of Title IV of the Defense Production Act of 1950, as amended.

So far as practicable, the Director of Price Stabilization gave due consideration to the national effort to achieve maximum production in furtherance of the objectives of the Defense Production Act of 1950; to prices prevailing during the period from May 24, 1950, to June 24, 1950, inclusive; and to relevant factors of general applicability.

AMENDATORY PROVISIONS

Ceiling Price Regulation 16 is amended in the following respects:

1. Section 4 (a) is amended to read as follows:

(a) *Net cost.* To figure your ceiling price, first find the "net cost" of the item, based on its most recent delivery to you before May 14, 1951. Your "net cost" will be the amount you paid your supplier less all discounts except (1) discounts on items in category #5, "Cookies, crackers, toast and crumbs" (section 32 (b) (5)), (2) the discount for prompt payment, and (3) swell and label allowances, plus all transportation charges you paid except local trucking and local unloading. This exception shall not apply to any shipments by water. In such cases, there may be added also as part of the cost of transportation the cost of moving the shipment from the place at which it was processed to the dock, the cost of unloading at that dock, wharfage, handling, tollage and usage charges, the cost of marine insurance, the cost of loading the goods on a car, truck, or other conveyance at the port of discharge and the cost of transporting that shipment from the port of discharge to receiving point. However, cost of loading the shipment at the place at which it was processed, segregation charges and cost of unloading at receiving point may not be added. Treat as a separate item each kind, brand, grade, variety, container-size and container-type of "dry groceries".

2. Section 32 (b) (10) is amended by deleting after the words "fruit or berry juices" the following: "and mixtures (except any of the foregoing in containers of a capacity of more than 50 pounds)", and after the words "vegetable juices, and mixtures" inserting the following: "(except any of the foregoing in containers of a capacity of more than 50 pounds)".

3. Section 32 (c) (10) is amended by inserting after the words "berry juices" the following: "vegetables, vegetable juices".

4. Section 32 (c) (3) is amended by deleting the words "chocolate syrup packed in No. 10 tins or larger."

5. Section 32 (c) (19) is amended by adding the following at the end of the sentence "and any meat or meat product which is in a pliable plastic or similar type of container."

6. Section 32 (b) (36) is amended in the following respects:

a. The following is inserted after the first sentence: "Non-food items are, of course, not included."

b. The words "edible or gloss" and the parenthetical clause "(excluded are powdered prepared laundry starching compounds)" are deleted from the ninth item, corn starch.

7. Section 32 (c) (36) is amended by deleting the item "Bird seed and gravel", the item "Laundry starching compounds, powdered prepared", and the words "edible or gloss" from the tenth item, corn starch.

8. Section 32 (b) (6) is amended by adding after the words "gingerbread mix" the following: "and any item containing ingredients to prepare crust and filling for a pie".

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment shall become effective December 26, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

DECEMBER 21, 1951.

[F. R. Doc. 51-15320; Filed, Dec. 21, 1951; 12:14 p. m.]

[Ceiling Price Regulation 30, Amdt. 26]

CPR 30—MACHINERY AND RELATED MANUFACTURED GOODS

DELETION OF COPPER WIRE MILL PRODUCTS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 26 to Ceiling Price Regulation 30 is hereby issued.

STATEMENT OF CONSIDERATIONS

Ceiling Price Regulation 30, as originally issued, covered insulated electrical cable, insulated electrical wire and certain other copper wire mill products which have been included in Ceiling Price Regulation 110—Manufacturers of Copper Wire Mill Products, issued simultaneously herewith. This amendment modifies Appendix A of CPR 30 so as to remove these products from the coverage of that regulation.

In formulating this amendment the Director of Price Stabilization has consulted with industry representatives, including trade association representatives, and has given consideration to their recommendation.

AMENDATORY PROVISIONS

Ceiling Price Regulation 30 is amended in the following respects:

1. Section 45 (a) is amended to read as follows:

(a) *Automotive parts.* This term means all engine parts, body parts, chassis parts, motors, electric equipment and wheels, and all other component parts and subassemblies (except electrical wires, cables, harnesses, and assemblies), of automobiles, trucks, busses, trailers, semi-trailers, and motorcycles

(except rebuilt bodies of trucks, busses, trailers or semi-trailers) and all accessories and optional, extra and special equipment designed for use on, or with, such motor vehicles, and unfinished parts and components thereof (except electrical wires, cables, harnesses, and assemblies) when in such form as to permit their use only as automotive parts, but does not mean any service or maintenance accessories such as anti-freeze, body polish, tools, etc., or tires, tubes, sheet or other non-processed glass.

2. In Appendix A, the item beginning "Aircraft parts * * *" is amended to read as follows:

Aircraft parts (all parts, subassemblies and unfinished parts and components of aircraft which are in such form as to permit their use only as aircraft parts, except tires and tubes, and electrical wires, cables, harnesses, and assemblies.)

3. In Appendix A, the item "Cable, insulated, electrical" is deleted.

4. In Appendix A, the item "Cable accessories, electrical" is amended to read as follows:

Cable accessories, electrical (except electrical cable accessories made for use with copper or aluminum cable).

5. In Appendix A, the item "Wire, insulated, electrical" is deleted.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This Amendment 26 to Ceiling Price Regulation 30 shall become effective December 26, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

DECEMBER 21, 1951.

[F. R. Doc. 51-15314; Filed, Dec. 21, 1951; 12:13 p. m.]

[Ceiling Price Regulation 67, Amdt. 6]

CPR 67—RESELLER'S CEILING PRICES FOR MACHINERY AND RELATED MANUFACTURED GOODS

COPPER WIRE MILL PRODUCTS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 6 to Ceiling Price Regulation 67 is hereby issued.

STATEMENT OF CONSIDERATIONS

Although Ceiling Price Regulation 67 covered, prior to the issuance of this amendment, such copper wire mill products as insulated electrical wire and cable and electrical cable accessories, it did not include other product lines coming within the broad classification. The Office of Price Stabilization is issuing, simultaneously herewith, Ceiling Price Regulation 110—Manufacturers of Copper Wire Mill Products and it is considered appropriate to include all such products in CPR 67 because the pricing practices of the resellers of the copper wire mill products not previously included are similar to those of resellers of such products already covered by the regulation.

The necessity of providing resellers of the copper wire mill products not previously covered by CPR 67 with pricing methods which enable them to reflect the adjustments in ceiling prices provided for in Ceiling Price Regulation 110 has rendered impractical consultation with industry representatives, including trade association representatives.

AMENDATORY PROVISIONS

Ceiling Price Regulation 67 is amended by adding the following item to Appendix A:

Copper wire mill products. This term includes hot rolled copper or copper base alloy wire rods made for drawing; copper wire and cable made for electrical or mechanical use and copper base alloy wire and cable made for electrical use (it includes such wire and cable whether bare or coated, solid or stranded, braided or knitted, or covered or insulated); insulated or covered wire and cable made for electrical use and composed of aluminum or of copper clad steel with a copper content of 20% or more by weight; assemblies of the foregoing wire and cable, including but not limited to, power supply cords and cord sets, battery cable, ignition cable sets, and wiring harnesses and assemblies; and cable accessories used in conjunction with the foregoing cable.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date: This Amendment 6 to Ceiling Price Regulation 67 shall become effective December 26, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

DECEMBER 21, 1951.

[F. R. Doc. 51-15315; Filed, Dec. 21, 1951; 12:13 p. m.]

[Ceiling Price Regulation 30, Supplementary Regulation 5]

CPR 30—MACHINERY AND RELATED MANUFACTURED GOODS

SR 5—OPTIONAL CEILING PRICE ADJUSTMENT UNDER SECTION 402 (D) (4) OF THE DEFENSE PRODUCTION ACT OF 1950, AS AMENDED, FOR CERTAIN MANUFACTURERS WHOSE LAST FISCAL YEAR'S NET SALES DID NOT EXCEED $1,000,000.00

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Supplementary Regulation 5 to Ceiling Price Regulation 30 is hereby issued.

STATEMENT OF CONSIDERATIONS

This supplementary regulation is issued for the same reasons, and accomplishes the same objectives as SR 18 to CPR 22. Accordingly, the Statement of Considerations involved in the issuance of that supplementary regulation, is equally applicable to this supplementary regulation.

In the judgment of the Director of Price Stabilization the provisions of this supplementary regulation are generally fair and equitable and are consistent with the purposes of Title IV of the Defense Production Act of 1950, as amended.

The broad scope of this regulation made it impracticable to consult in detail with all the industries affected. However, this regulation carries out the recommendations of individual manufacturers to provide a simplified procedure by which smaller manufacturers subject to CPR 30 can adjust their ceiling prices under section 402 (d) (4) of the Defense Production Act of 1950, as amended.

REGULATORY PROVISIONS

Sec.

AUTHORITY: Sections 1 to 12, issued under sec. 704, 604 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply Title IV, 64 Stat. 803, as amended; 50 U. S. C. App. Sup. 2101–2110. E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.

SECTION 1. *What this supplementary regulation does.* This supplementary regulation makes available to certain manufacturers an optional method for applying under section 402 (d) (4) of the Defense Production Act of 1950, as amended, for the adjustment of ceiling prices established by CPR 30. Anyone whose ceiling prices are established by any provision of CPR 30, other than section 43a (*Manufacturers who cannot price under any other provisions*), of CPR 30, may apply under this supplementary regulation. However, there are three limitations upon the use of this supplementary regulation.

(a) You may not use this supplementary regulation if your net sales for your last completed fiscal year ended not later than July 31, 1951, were more than $1,000,000.00.

(b) You may not use this supplementary regulation if your net sales for the period January 1 through June 30, 1951, were more than 15 percent above your net sales for the period January 1 through June 30, 1950.

(c) If you use this supplementary regulation, you must use it for all of your commodities and services subject to CPR 30.

The term "net sales", as used in this section means the net sales of all commodities as to which you are the manufacturer, including commodities not covered by CPR 30.

SEC. 2. *General description of how to obtain adjusted ceiling prices.* If you wish to adjust your CPR 30 prices under this supplementary regulation, you must first recalculate your CPR 30 ceiling prices under sections 3 through 7 of this supplementary regulation. Then you file

an application on OPS Public Form No. 121 in accordance with section 8. As soon as you receive your return postal receipt, confirming receipt by the OPS of your application on OPS Public Form No. 121, you may adjust your CPR 30 ceiling prices.

SEC. 3. *Your recalculated ceiling prices.* (a) Your recalculated ceiling price to your largest buying class of purchaser is whichever of the following you elect:

(1) Your base period price.

(2) Your base period price plus "the materials cost adjustment" calculated under this supplementary regulation.

(3) Your base period price plus the total of the "labor cost adjustment" and "materials cost adjustment" calculated under this supplementary regulation.

(b) The ceiling price of the commodity to your other class of purchasers is to be determined in accordance with section 3 of CPR 30. Section 4 tells you the base period which you must use in determining your adjusted ceiling prices under this supplementary regulation. Section 5 of this supplementary regulation tells you how to obtain your base period price. Section 6 tells you how to calculate your labor cost adjustment, and section 7 tells you how to calculate your materials cost adjustment. Section 8 tells you how to adjust ceiling prices quoted on a delivered basis for increase in transportation costs.

SEC. 4. Base period. In determining ceiling prices under this supplementary regulation, you must use as your base period either January 1 through March 31, 1950 or April 1 through June 24, 1950. You may not use either of the two 1949 base periods provided in CPR 30.

SEC. 5. *Base period price.* You determine your base period price in accordance with the provisions of sections 6 through 9 of CPR 30, using as your base period either January 1 through March 31, 1950, or April 1 through June 24, 1950.

SEC. 6. *How to calculate your labor and materials cost adjustment.* (a) You calculate your "labor cost adjustment" and your "materials cost adjustment" in accordance with the provisions of CPR 30, modified as follows:

(1) Wherever the dates March 15, 1951, August 1, 1951, or December 31, 1950 appear, substitute July 26, 1951, except where December 31, 1950, appears as part of a direction as to the use of a fiscal year.

(2) You must use either January 1 through March 31, 1950, or April 1 through June 24, 1950 as your base period.

(3) Wherever reference is made to section 3 (a) of CPR 30, substitute section 3 (a) of this supplementary regulation.

(4) You may include in calculating your "recomputed payroll" any wage increase or fringe benefits given under a contract retroactive to a date prior to July 26, 1951, provided that the contract was entered into prior to July 26, 1951, and that the only condition attached to the payment of the increase or benefit was that it be approved by the Wage Stabilization Board.

(b) In making your calculations under this supplementary regulation, you are not bound by any elections you have made under CPR 30.

SEC. 7. *Adjustment of ceiling prices quoted on a delivered basis for increase in transportation costs.* You adjust your ceiling prices quoted on a delivered basis for increases in transportation costs under section 31 of CPR 30, except that you may reflect these cost increases through July 26, 1951.

SEC. 8. *How to apply for new ceiling prices.* Before adjusting your ceiling prices in accordance with this supplementary regulation, you must file an application, by registered mail, with the Industrial Materials and Manufactured Goods Division, Office of Price Stabilization, Washington 25, D. C., on OPS Public Form 121, in accordance with the instructions which are part of this form. Copies of this form will be available shortly after the issuance of this regulation in any Regional or District Office of OPS. You must file a separate form for each product line or category. All your forms must be filed simultaneously. However, you must adjust all your CPR 30 ceiling prices simultaneously, except ceiling prices previously determined under section 43a of CPR 30, which can be adjusted only by letter order issued by the Director of Price Stabilization. Thereafter, any sale which you are then permitted to make at a ceiling price established under CPR 30 may be made at your adjusted ceiling price.

SEC. 9. *Applicability of CPR 30 and supplementary regulations to CPR 30.*— (a) *CPR 30.* Except as modified by paragraph (c), all the provisions of CPR 30 which are not inconsistent with this supplementary regulation, remain applicable to you.

(b) *Supplementary regulations to CPR 30.* Supplementary Regulation 1, Revision 1 to CPR 30 applies to your calculations and your ceiling prices determined under this supplementary regulation. However, no other supplementary regulation to CPR 30 (including SR 2, Rev. 1 and SR 4) is applicable to your calculations or to your ceiling prices determined under this supplementary regulation.

(c) In applying the provisions of CPR 30 or SR 1, Rev. 1 to CPR 30, to your calculations under this supplementary regulation, do the following:

(1) Substitute July 26, 1951, for December 31, 1950, March 15, 1951, or August 1, 1951, except where December 31, 1950, appears as part of a direction as the use of a fiscal year.

(2) Substitute your adjusted ceiling price under this supplementary regulation for the comparable CPR 30 ceiling price.

(3) Substitute January 1, 1950, for July 1, 1949.

SEC. 10. *Modification of adjusted ceiling prices by the Director of Price Stabilization.* The Director of Price Stabilization may at any time revise or modify ceiling prices adjusted under this supplementary regulation, require further information, or direct you to continue using your CPR 30 or GCPR ceiling prices until further notice.

SEC. 11. *Records and reports*—(a) *Records and reports required by CPR 30.* If you apply under this supplementary regulation you must comply with the record keeping and reporting provisions of CPR 30, except as expressly modified by this supplementary regulation. In addition to information relating to your calculations under this supplementary regulation, OPS Public Form No. 121 requires that you give certain information with regard to your calculations under CPR 30.

(b) *Additional records required by this supplementary regulation.* In addition to the records required by section 44 of CPR 30, you must prepare and preserve for the life of the Defense Production Act of 1950, as amended, and for two years thereafter, all records necessary to determine whether you have determined correctly your adjusted ceiling prices under this supplementary regulation, including appropriate worksheets, showing the computations of adjusted ceiling prices under the provisions of this supplementary regulation.

In addition, you must keep all records showing the prices at which you have sold or offered for sale, commodities subject to this supplementary regulation for a period of two years after the date of each such sale or offer.

SEC. 12. *Definitions.* Unless the context otherwise requires, or a different definition is given, all terms used in this supplementary regulation have the same meaning as in CPR 30.

Effective date. This supplementary regulation is effective December 26, 1951.

NOTE: The record-keeping and reporting requirements of this supplementary regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

MICHAEL V. DISALLE,
Director of Price Stabilization.

DECEMBER 21, 1951.

[F. R. Doc. 51-15317; Filed, Dec. 21, 1951; 12:14 p. m.]

[Ceiling Price Regulation 81, Supplementary Regulation 1, Correction]

CPR 81—CEILING PRICES FOR FROZEN VEGETABLES OF THE 1951 PACK

SR 1—OPTIONAL PRICING FOR FROZEN VEGETABLES OF THE 1951 PACK

CORRECTION

Through inadvertence, the phrase "August 1–31, 1951, inclusive" was omitted from the last sentence of section 2 of Supplementary Regulation 1 of Ceiling Price Regulation 81. Accordingly, the last sentence of section 2 of SR 1 to CPR 81 is corrected to read as follows: "If you made no sales of a particular item during the period November 1–30, 1951, inclusive, you shall substitute for that period the first from among the following periods in which you did make sales of such item: October 1–31, 1951, inclusive; September 1–30, 1951, inclusive; August

1–31, 1951, inclusive; April 1–30, 1951, inclusive; June 1–30, 1951, inclusive; May 1–31, 1951, inclusive, April 1–30, 1951, inclusive; March 1–31, 1951, inclusive; February 1–28, 1951, inclusive (in that order).

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

MICHAEL V. DISALLE,
Director of Price Stabilization.

DECEMBER 21, 1951.

[F. R. Doc. 51–15319; Filed, Dec. 21, 1951; 12:14 p. m.]

[Ceiling Price Regulation 82, Supplementary Regulation 1, Correction]

CPR 82—CEILING PRICES FOR FROZEN FRUITS AND BERRIES OF THE 1951 PACK

SR 1—OPTIONAL PRICING FOR FROZEN FRUITS AND BERRIES OF THE 1951 PACK

CORRECTION

Through inadvertence, the phrase "August 1–31, 1951, inclusive" was omitted from the last sentence of section 2 of Supplementary Regulation 1 of Ceiling Price Regulation 82. Accordingly, the last sentence of section 2 of SR 1 to CPR 82 is corrected to read as follows: "If you made no sales of a particular item during the period November 1–30, 1951, inclusive, you shall substitute for that period the first from among the following periods in which you did make sales of such item: October 1–31, 1951, inclusive; September 1–30, 1951, inclusive; August 1–31, 1951, inclusive; July 1–31, 1951, inclusive; June 1–30, 1951, inclusive; May 1–31, 1951, inclusive; April 1–30, 1951, inclusive; March 1–31, 1951, inclusive; February 1–28, 1951, inclusive (in that order).

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

MICHAEL V. DISALLE,
Director of Price Stabilization.

DECEMBER 21, 1951.

[F. R. Doc. 51–15318; Filed, Dec. 21, 1951; 12:14 p. m.]

[Ceiling Price Regulation 109]

CPR 109—SALT FLAT LAKE HERRING

Pursuant to the Defense Production Act of 1950, as amended (Pub. Law 774, 81st Cong., Pub. Law 96, 82d Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Ceiling Price Regulation 109 is hereby issued.

STATEMENT OF CONSIDERATIONS

This regulation establishes dollars-and-cents ceiling prices at the final processor's level for sales of salt flat lake herring.

At the present time the prices for salt flat lake herring are governed by the General Ceiling Price Regulation. This commodity is processed from Lake Superior herring and is packed in Minnesota, Wisconsin, and Michigan. The run of fish usually extends from late October through December, and by the beginning of January the packing operation is completed. The total yearly catch of Lake Superior herring is about 20 million pounds, approximately one-third of which is salt processed. In this operation fresh herring is first headed and gutted. It is then "slimed" (the first salting operation), salted, packed, brined, stored and repacked. The "sliming" may be done either by the fishermen or by the packer. In weight, the finished product is about two-thirds the weight of fresh uncleaned herring. The processed end product is sold to distributors in 100 lb. kegs, 50 lb. kegs, 25 lb. kegs, 10 lb. kegs, 8 lb. kegs, 6 lb. kegs, and 3 lb. glass jars packed in cases of four.

The cost of processing salt flat lake herring has risen substantially since the beginning of the Korean conflict, the largest part of this increase occurring in the price of raw fish. The main reason for this sharp rise in the price of raw herring is its more extensive use as animal feed due to the rise in the price of horse meat, for which it can be substituted. Because of the extent of the cost increases, processors could not be compelled to absorb the increased costs without suffering severe financial hardship. Accordingly, it is necessary to revise the processors' ceiling prices.

The packing season is now well under way and the marketing season is about to begin. Immediate ceiling price adjustment is necessary if the processors are to be permitted an opportunity to sell the herring at a fair and equitable price. The only data readily available concerning the salt flat lake herring industry relate to costs and prices in 1950 and 1951. Pending further study of the industry, the Director of Price Stabilization has determined that it will be equitable, as an interim measure, to establish ceiling prices for salt flat lake herring on the basis of 1950 prices and costs for this commodity, adjusted to reflect increased direct material and direct labor costs. On this basis, a price of $16.40 is established for a 100 lb. keg, f. o. b. packer's plant. In addition, the regulation establishes dollars-and-cents ceiling prices for container sizes and types and styles distinguished for pricing purposes in the industry. Differentials of container sizes and types and styles which follow industry distinctions have been recognized. The prices specified are gross prices and customary allowances and discounts must be deducted from them. These increased prices will be reflected at the wholesale and retail level by the percentage markups provided for in Ceiling Price Regulations 14, 15 and 16.

It should be emphasized that this regulation is necessarily an interim measure. The ceiling prices established by this regulation may be revised upward or downward, to reflect the results of a study of the industry data and any changes in unit costs from present levels.

FINDINGS OF THE DIRECTOR

In formulating this regulation the Director of Price Stabilization has consulted with industry representatives to the extent practicable and has given full consideration to their recommendations. In his judgment, the provisions of this regulation are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended. The ceiling prices established by this regulation are higher than the prices prevailing just before the date of issuance of this regulation.

As far as practicable, the Director of Price Stabilization gave due consideration to the national effort to achieve maximum production in furtherance of the Defense Production Act of 1950, as amended; to prices prevailing during the period from May 24, 1950 to June 24, 1950, inclusive; and to the relevant factors of general applicability.

REGULATORY PROVISIONS

Sec.
1. What this regulation does.
2. Where this regulation applies.
3. Ceiling prices for standard packs of salt flat lake herring.
4. Ceiling prices for other packs of salt flat lake herring.
5. How you may sell on a delivered basis.
6. Conditions and terms of sale.
7. Petitions for amendments.
8. Records.
9. Prohibitions.
10. Evasions.
11. Definitions.

AUTHORITY: Sections 1 to 11 issued under sec. 704, 64 Stat. 816, as amended, 50 U. S. C. App. Sup. 2154. Interpret or apply Title IV, 64 Stat. 803, as amended; 50 U. S. C. App. Sup. 2101–2110. E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.

SECTION 1. *What this regulation does.* This regulation sets dollars-and-cents ceiling prices for sales of salt flat lake herring (see section 11, *Definitions*) by the processor. These ceiling prices supersede those established by the General Ceiling Price Regulation (GCPR).

SEC. 2. *Where this regulation applies.* The provisions of this regulation apply in the 48 states of the United States and the District of Columbia.

SEC. 3. *Ceiling prices for standard packs of salt flat lake herring.* Your ceiling prices for the specified packs of salt flat lake herring are those listed below. The prices are for the indicated container sizes and types and styles, f. o. b. vehicle at that vehicle's loading point nearest your packing plant.

Container size and type	Style	Ceiling price
100 pound keg	Whole	$16.40
50 pound keg	Whole	9.30
25 pound keg	Whole	4.65
10 pound keg	Whole	2.40
8 pound keg	Whole	2.05
6 pound keg	Whole	1.65
3 pound glass	Whole	[1] 3.60
3 pound glass	Fillets	[1] 4.60

[1] Per case of 4 containers.

SEC. 4. *Ceiling prices for other packs of salt flat lake herring.* For container sizes, or types and styles of salt flat lake herring not listed in section 3, you shall apply to the Director of Price Stabilization for the approval of a ceiling price in line with the prices established by this regulation. Your written request should be sent by registered mail to the Fish Branch, Office of Price Stabilization,

Washington 25, D. C., and must show (a) the size and type of container for both the product listed in section 3 to which your unlisted product is most similar and for that latter product, and (b) your proposed ceiling price, and (c) your respective selling prices of the two products as of June 24, 1950, or the latest date previous to June 24, 1950, on which both products were sold or offered for sale by you. Your proposed ceiling price must be in line with the prices established by this regulation, after making appropriate allowance for differences between the herring for which you propose a ceiling price and the most similar product listed in section 3. Fifteen days after the OPS has received your application, as shown by your return postal receipt, you may sell the commodity at the ceiling price you proposed unless OPS has notified you not to do so or has requested further information. If, within the fifteen-day period OPS has asked you for more information, you may not sell the commodity at the proposed ceiling price until fifteen days after OPS has received the requested information. You must mail the information requested by registered mail, return receipt requested. The Director of Price Stabilization may at any time disapprove or revise downward ceiling prices proposed to be used or being used under this section so as to bring them into line with the level of ceiling prices otherwise established under this regulation.

SEC. 5. *How you may sell on a delivered basis.* If you wish to sell on a delivered basis, you may do so, but your delivered price for salt flat lake herring may not be more than your f. o. b. ceiling prices established by this regulation plus the charge at the lowest available rate for the transportation of an identical quantity packed in the same size and type container, from your packing plant to the buyer's designated receiving point. In no case may you add to your ceiling price an amount greater than the exact charge in dollars-and-cents actually paid for the transportation of the salt flat lake herring being shipped at the lowest available freight rate for the same type and size of container from your packing plant to the buyer's designated receiving point.

SEC. 6. *Conditions and terms of sale.* The ceiling prices set forth in this regulation are gross prices and you must continue to apply all customary delivery terms, discounts, allowances, guarantees, and other usual and customary terms and conditions of sale which you had in effect between December 19, 1950 and January 25, 1951, inclusive, except that in no instance shall the gross selling price of any item covered by this regulation exceed the ceiling price for such items.

SEC. 7. *Petitions for amendments.* If you wish to have this regulation amended you may file a petition for amendment in accordance with the provisions of Price Procedural Regulation 1, Revised (16 F. R. 4974).

SEC. 8. *Records.* Every processor of salt flat lake herring who sells or exchanges salt flat lake herring in the regular course of trade or business or otherwise deals therein shall make and keep for inspection by the Director of Price Stabilization for a period of 2 years accurate records of each sale made after the effective date of this regulation. The records must show the date of the sale or exchange, name and address of the purchaser, and the price charged or paid, itemized by quantity, type and size of container, and style. The records must indicate whether each purchase or sale is made on an f. o. b. or on a delivered basis, and in the latter case the shipping and transportation charges, unless delivery is by common carrier. Records must show all discounts, allowances and other terms and conditions of sale.

SEC. 9. *Prohibitions.* You shall not do any act prohibited or omit to do any act required by this regulation, nor shall you offer, solicit, attempt, or agree to do or omit to do any such acts. Specifically (but not in limitation of the above), you shall not, regardless of any contract or other obligation, sell, and no person in the regular course of trade or business shall buy from you at a price higher than the ceiling prices established by this regulation, and you shall keep, make and preserve true and accurate records required by this regulation. If you violate any provisions of this regulation, you are subject to criminal penalties, enforcement action, and action for damages.

SEC. 10. *Evasions.* (a) Any means or device which results in obtaining indirectly a higher price than is permitted by this regulation or in concealing or falsely representing information as to which this regulation requires records to be kept is a violation of this regulation. This prohibition includes, but is not limited to, means or devices making use of commissions, services, cross sales, transportation arrangements, premiums, discounts, special privileges, upgrading, tie-in agreements and trade understandings, as well as the omission from records of true data and the inclusion in records of false data.

SEC. 11. *Definitions.* For the purpose of this regulation the following terms will have the indicated meaning:

(a) "Processor" means a person who may "slime", and who salts, packs, brines, stores and repacks fresh Lake Superior herring.

(b) "Salt flat lake herring" is the end product of fresh Lake Superior herring which has been split, eviscerated and packed after undergoing a processing of two separate salting and brining stages according to the customary processing technique in the trade.

Effective date. This regulation is effective December 26, 1951.

NOTE. The record keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

MICHAEL V. DISALLE,
Director of Price Stabilization.

DECEMBER 21, 1951.

[F. R. Doc. 51-15322; Filed, Dec. 21, 1951; 12:15 p. m.]

[Ceiling Price Regulation 110]

CPR 110—MANUFACTURERS OF COPPER WIRE MILL PRODUCTS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Ceiling Price Regulation 110 is hereby issued.

STATEMENT OF CONSIDERATIONS

This regulation establishes ceiling prices for manufacturers of copper wire mill products and for certain services furnished by such manufacturers. It also establishes ceiling charges which may be made by a manufacturer for reels, spools, and other containers furnished in connection with copper wire mill products.

Copper wire mill products consist of the various kinds of wire and cable, assemblies of wire and cable, and cable accessories which are used in the electrical and communication industries. They are used in conducting electricity to and in the home and factory; in the manufacture of household electrical appliances, industrial machinery, and automotive and aircraft equipment; in the transmission of radio, telegraph, and telephone messages and television images; and in many different kinds of military equipment. Maximum production of copper wire mill products is essential to the success of the defense effort and to the maintenance of our civilian economy.

There are between 150 and 160 manufacturers of copper wire mill products and they range in size from very large to relatively small concerns. Some manufacturers are engaged almost exclusively in the production of copper wire mill products while others also make other commodities (e. g. the American Steel and Wire Company, the United States Rubber Company, and the General Electric Company). Some of the companies in the industry are affiliated, as subsidiaries or otherwise, with corporations engaged in other activities (such as the production of nonferrous metals) while others are entirely independent. Some firms produce a wide range of copper wire mill products while others manufacture only particular products or product lines.

Because of the falling off of demand, prices for copper wire mill products began to decline in 1949 and reached their post-war low point in April 1950. After the outbreak of hostilities in Korea prices began to rise, but the upward movement was not uniform throughout the industry. Some manufacturers, anxious to recover from the low levels which had prevailed through the first half of the year, raised their prices to a greater extent than others who limited their price adjustments in the interests of the government's efforts to obtain stabilization on a voluntary basis. As a consequence, during the period December 19, 1950, to January 25, 1951, various products and product lines which normally were uniformly priced were being sold at different prices by different manufacturers and this multi-level price structure was perpetuated by the General Ceiling Price Regulation.

In general, this regulation establishes uniform ceiling prices for almost all copper wire mill products at levels which are the same as or slightly above the levels at which most of the output was being sold during the base period of the General Ceiling Price Regulation. It is estimated that this regulation will permit price increases by certain manufacturers which will raise the general level of prices of copper wire mill products by about 0.26 percent above that prevailing immediately before its issuance, but this increase will be offset somewhat by reductions in the ceiling prices for other manufacturers accounting for only a very small portion of the total output. The companies so affected, however, heretofore have had ceiling prices based upon the high prices for copper scrap which prevailed during the base period of the GCPR and they have been benefited by the substantial rollback in the ceiling prices for such material which was accomplished by Ceiling Price Regulation 46, effective June 26, 1951. Although this regulation rolls back the GCPR ceiling prices of persons accounting for about 15 percent of the output of magnet wire, it will not affect their selling prices since they have previously voluntarily reduced such prices to the ceiling prices established in this regulation.

Copper and lead are two of the most important raw materials used in the manufacture of the products covered by this regulation and the ceiling prices established herein generally reflect the price of 24½ cents per pound for copper and the price of 17 cents per pound for lead which prevailed during the base period of the GCPR. Although some manufacturers of copper wire mill products are using some copper from Chilean sources for which they pay 27½ cents per pound and the ceiling price for domestic lead was increased 2 cents per pound by Supplementary Regulation 70 to the GCPR, effective October 2, 1951, the policies of the Office of Price Stabilization require that such cost increases must be absorbed in the absence of a showing that a ceiling price adjustment is required under applicable standards. There has been no such showing with respect to the products covered by this regulation, and the ceiling prices established herein, therefore, have not been adjusted to reflect specifically any cost increases which have occurred since the issuance of the GCPR.

The pricing techniques set forth in this regulation differ from those embodied in other OPS regulations. Most copper wire mill products are ordinarily priced on the basis of published price lists or books which set forth either dollars and cents prices or the values to be used in calculating prices according to prescribed formulas. Such price lists or books cover hundreds of thousands of different items and it was not feasible to set forth specific dollars and cents ceiling prices in the regulation. On the other hand, it was not possible, because of the variation in GCPR base period prices, to achieve the uniform ceiling prices desired by using a "freeze" technique based on the published price lists of any one manufacturer in effect on a given date.

The problem thus posed has been solved by compiling four price books each of which covers a broad product classification in the industry. Two of these books, one covering standard insulated wire and cables, standard wiring harnesses and assemblies, and standard power supply cords and cord sets and the other covering bare, weatherproof and magnet wire and wire rods, consist of sheets from the published price lists of various manufacturers which set forth dollars and cents prices at the desired levels. The other two books cover rubber, plastic, and varnished cambric insulated power cable and paper insulated power cable and contain the pricing formulas and factors used in such formulas published by a leading producer and in effect during the base period of the GCPR. In general, these formulas provide for the computation of prices by using different dollars and cents factors which vary in accordance with differences in the prices of copper and lead (and varnished cambric in the case of some kinds of insulated power cable) and have customarily been used throughout the industry.

An official copy of each of these price books has been filed with the Federal Register and the Recording Secretary of the Office of Price Stabilization and the regulation provides that the ceiling price for any product covered is the price set forth in such copy. The regulation also contains certain instructions which must be followed in determining ceiling prices and specifies the values for lead and copper (and varnished cambric where applicable) which must be used in calculating the ceiling prices for insulated power cables. Copies of price books will be made available for inspection at each of the regional offices of OPS and any manufacturer of any product covered will be able to obtain a copy of the book or books in which he is interested by writing to the Office of Price Stabilization, Washington 25, D. C.

Specific formulas for determining ceiling prices for special wiring harnesses and assemblies and special power supply cords and cord sets are also provided in the regulation. Although the price books and specific formulas include most of the products covered by the regulation, there are some which cannot be priced by such methods and ceiling prices for these must be determined by each manufacturer on the basis of the prices he had in effect during the period December 19, 1950, to January 25, 1951.

This regulation also covers certain services which are ordinarily furnished by manufacturers of copper wire mill products in connection with materials owned by others. These include rolling copper bars into wire rods for drawing, drawing wire rods into wire, and such other services as tinning, stranding, and covering. The regulation provides that ceiling prices for rolling and drawing operations are to be determined by deducting from the ceiling price established for the product resulting therefrom the value of the material furnished by the person for whom the service is performed. In the case of copper bars, this value is 24½ cents per pound while in the case of copper or copper base alloy rods the value is the ceiling price established for the product by this regulation. Ceiling prices for other services are determined on the basis of the charges which were made during the base period.

It is the practice of the industry to furnish in connection with copper wire mill products reels, spools, and other containers. Although most manufacturers customarily sell such containers to the purchaser with an agreement to repurchase at the same price within a specified period of time, others furnish them on a deposit and return basis. This regulation prescribes the conditions under which a charge may be made for reels, spools, and other containers (whether furnished on a sale and repurchase or deposit basis) and sets forth the dollars and cents amounts which may be charged for the sizes and kinds most commonly used. If a manufacturer furnishes a container for which a specific amount is not set forth, his ceiling charge is the highest amount which he charged for the same container furnished during the base period.

In the judgment of the Director of Price Stabilization, the provisions of this ceiling price regulation are generally fair and equitable and are necessary to effectuate the purposes of the Defense Production Act of 1950, as amended.

So far as practicable, the Director has given due consideration to the national effort to achieve maximum production in furtherance of the objectives of the Defense Production Act of 1950, as amended, and to relevant factors of general applicability. In the judgment of the Director, the ceiling prices established in this regulation are not below the lower of the prices prevailing just before the issuance of this regulation or the prices prevailing during the period January 25, 1951, to February 24, 1951, inclusive.

In formulating this regulation, the Director consulted with industry representatives, including trade association representatives, and has given consideration to their recommendations.

The provisions of this ceiling price regulation and their effect upon business practices, cost practices, or means or aids to distribution in the industry have been considered. It is believed that no changes in such practices or methods have been effected. To the extent, however, that the provisions of this regulation may operate to compel changes in such practices or methods, such provisions are necessary to prevent circumvention or evasion of the regulation and to effectuate the policies of the act.

REGULATORY PROVISIONS

Sec.

Sec.
9. Excise, sales, and similar taxes.
10. Transfers of business.
11. Records.
12. Interpretations.
13. Prohibitions.
14. Evasions.
15. Supplementary regulations.
16. Definitions.

AUTHORITY: Sections 1 to 16 issued under sec. 704, 64 Stat. 816, Pub. Law 96, 82d Cong., 50 U. S. C. App. Sup. 2154. Interpret or apply Title IV, 64 Stat. 803, Pub. Law 96, 82d Cong., 50 U. S. C. App. Sup. 2101-2110. E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.

SECTION 1. *What this regulation does.*—(a) *Products covered.* This regulation establishes ceiling prices for copper wire mill products and ceiling charges for reels, spools, and other containers furnished in connection with such products. The term "copper wire mill products" includes:

(1) Hot rolled copper or copper base alloy wire rods made for drawing;

(2) Copper wire and cable made for electrical or mechanical use and copper base alloy wire and cable made for electrical use. It includes the foregoing wire and cable whether bare or coated, solid or stranded, braided or knitted, or covered or insulated;

(3) Insulated or covered wire and cable made for electrical use and composed of aluminum or of copper clad steel with a copper content of 20 percent or more by weight;

(4) Assemblies of wire and cable listed in subparagraphs (2) or (3) of this paragraph, including but not limited to, power supply cords and cord sets; battery cable; ignition cable sets; wiring harnesses and assemblies; and

(5) Cable accessories used in conjunction with cable listed in subparagraphs (2) or (3) of this paragraph.

(b) *Services covered.* This regulation also establishes ceiling prices for the following services when furnished by a manufacturer of any copper wire mill products in connection with material owned by another person:

(1) The service of rolling copper bars into wire rods for drawing; and

(2) Any service performed upon, or in connection with, a copper wire mill product (including, but not limited to, the services of drawing wire rods into wire, tinning, stranding, and covering).

(c) *Persons and transactions covered.* (1) This regulation applies to all sales, including export sales and sales for export, of copper wire mill products by a manufacturer, to sales or transfers of reels, spools, and other containers furnished in connection with such products by a manufacturer thereof, and to all sales of the services covered by this regulation by a manufacturer of copper wire mill products.

(2) This regulation also applies, insofar as his purchases are concerned, to any person who in the regular course of trade or business buys the products and services covered by this regulation from a manufacturer.

(d) *Geographical applicability.* This regulation applies in the 48 States of the United States, its Territories and Possessions, and the District of Columbia.

SEC. 2. *Ceiling prices for specified copper wire mill products*—(a) *General provisions.* (1) This section sets forth the ceiling prices for standard insulated wires and cables; standard ignition sets; bare, weatherproof, and magnet wire; wire rods; rubber, plastic, and varnished cambric insulated power cable; paper insulated power cable; wiring harnesses and assemblies; and power supply cords and cord sets.

(2) The ceiling prices for all such products except special wiring harnesses and assemblies and special power supply cords and cord sets are set forth in four price books, official copies of which are filed with the FEDERAL REGISTER and the Recording Secretary, Office of Price Stabilization, Washington, D. C. These price books are composed of portions of the price lists or of the pricing formulas published by various manufacturers and are open to inspection by the public. Paragraphs (b) through (e) of this section contain provisions which you must follow in determining your ceiling prices for products covered by the price books. Paragraphs (f) and (g) of this section contain the provisions for determining your ceiling prices for special wiring harnesses and assemblies and paragraph (h) contains the provisions for determining your ceiling prices for special power supply cords and cord sets.

(3) If you are a manufacturer of any of the products covered by a price book you may obtain a copy of such book by writing to the Office of Price Stabilization, Washington 25, D. C. Copies of these books are also available for inspection at each of the regional offices of the Office of Price Stabilization.

(4) All requests for interpretation of the price books must be addressed to the Office of Price Stabilization in accordance with section 12 of this regulation. Any interpretation received from a company whose price list or pricing formula is included in any such book is not official and will not be recognized as such by the Office of Price Stabilization.

(5) You must allow, in addition to class of purchaser discounts provided for in the price books, any other class of purchaser discounts which you had in effect on January 25, 1951.

(b) *Standard insulated wires and cables, standard wiring harnesses and assemblies, and standard power supply cords and cord sets.* Your ceiling price for any standard insulated wire or cable, standard wiring harnesses and assemblies or standard power supply cords and cord sets, is the price set forth in the official copy of Price Book A—Standard Insulated Wires and Cables. A list of the products covered by Price Book A is set forth in Appendix A to this regulation. In calculating your ceiling price you must comply with the following provisions:

(1) You must follow the pricing instructions set forth on the applicable price sheet or sheets in Price Book A;

(2) You must use the applicable base or list price, extras and deductions, quantity differentials, trade or class of purchaser discounts, and other pricing factors specified thereon; and

(3) You must make any allowance for transportation specified on the applicable price sheet or sheets and you must not charge the buyer or require him to assume, any charges for transportation if delivered prices are set forth. If, however, it was your practice as of January 25, 1951, to charge a full delivered price to a purchaser who picked up a product in his own vehicle, you may charge the applicable delivered price set forth in Price Book A without any allowance for transportation.

(c) *Bare, weatherproof, magnet wire and wire rods.* Your ceiling price for any bare, weatherproof, or magnet wire or for any wire rod is the applicable price set forth in the official copy of Price Book B—Bare, Weatherproof, and Magnet Wire. In calculating your ceiling price you must comply with the following provisions:

(1) You must follow the pricing instructions set forth on the applicable price sheet or sheets in Price Book B;

(2) You must use the applicable base or list price, extras and deductions, quantity differentials, trade or class of purchaser discounts, and other pricing factors set forth thereon;

(3) You must make any allowance for transportation specified on the applicable price sheet or sheets and you must not charge the buyer, or require him to assume, any charges for transportation if delivered prices are set forth. If, however, it was your practice as of January 25, 1951, to charge a full delivered price to a purchaser who picked up a product in his own vehicle, you may charge the applicable delivered price set forth in Price Book B without any allowance for transportation;

(4) The prices for bare and weatherproof wire in Price Book B are set forth on a f. o. b. factory shipping point basis, but the delivered cost to the buyer may not exceed the applicable price plus the applicable railroad freight rate from the nearest wire mill to destination. The "nearest wire mill" means a wire mill at which bare or weatherproof wire is manufactured and which is nearest, in terms of freight rates, to the destination. In determining the "nearest wire mill" you must consider only the wire mills at which the kind of wire you are pricing (i. e. bare or weatherproof) is manufactured. If you sell bare or weatherproof wire on terms which require the buyer to pay transportation charges, you may not charge a price which will result in a delivered cost to the buyer in excess of that permitted by this sub-paragraph; and

(5) If you ship bare or weatherproof wire on reels or spools you may add to the ceiling price otherwise established herein an amount not in excess of 25 percent of the freight rate from the nearest wire mill to destination but if you do so, you may not make any charge for the cost of transporting such reels or spools to destination or return.

(d) *Rubber, plastic, and varnished cambric insulated power cables.* Your ceiling price for any rubber, plastic, or varnished cambric insulated power cable is the price determined by using the pricing method set forth in the official copy of Price Book C—Rubber and Plastic Power Cable. In calculating such

price you must comply with the following provisions:

(1) You must follow the pricing instructions set forth in Price Book C;

(2) You must use a price of 24½ cents (Correction Factor of Plus 24) for copper, a price of 17 cents (Correction Factor of Minus 5) for lead and a price of $1.10 (Correction Factor of Plus 4) for varnished cambric; and

(3) You must use the applicable extras and deductions, quantity differentials, and other pricing factors set forth in Price Book C.

(e) *Paper insulated power cable.* Your ceiling price for any paper insulated power cable is the price determined by using the pricing method set forth in the official copy of Price Book D—Paper Insulated Power Cable. In calculating such price you must comply with the following provisions:

(1) You must follow the instructions set forth in Price Book D;

(2) You must use a price of 24½ cents (Correction Factor of Plus 3.00) for copper and 17 cents (Correction Factor of Minus .50) for lead; and

(3) You must use the applicable extras and deductions, quantity differentials, and other pricing factors set forth in Price Book D.

(f) *Special wiring harnesses and assemblies sold to manufacturers.* Your ceiling price for any special wiring harness or assembly when sold to a manufacturer for use in production is the price determined in accordance with the formula set forth below. The price so determined applies f. o. b. factory except that you must prepay or allow freight on single shipments of 200 pounds or more to any destination within the continental United States. You must also adjust such price to reflect quantity differentials, class of purchaser differentials, credit terms, delivery terms, and other conditions of sale which you had in effect on January 25, 1951.

To calculate your ceiling price, you must:

(1) Ascertain the ceiling price established by this regulation for wire, if any, manufactured by you and used in the product you are pricing;

(2) Compute the sum of the following factors:

(i) The price paid by you, not in excess of the ceiling price established by the applicable Office of Price Stabilization regulation, for components (including wire) purchased by you or the ceiling price for any components (other than wire) manufactured by you;

(ii) Direct and indirect labor costs and other expenses of manufacturing, all at the rates in effect for you on January 25, 1951;

(iii) A scrap allowance of 2 percent of the total of items (i) and (ii);

(iv) 25 percent of the total of items (i), (ii), and (iii) for selling, administrative expenses, and profit.

(3) Add the figure determined in (1) to the figure determined in (2). This is your ceiling price.

(g) *Special wiring harnesses and assemblies sold to warehouse jobbers.* Your ceiling price for any special wiring harness or assembly when sold to a warehouse jobber is the price determined in accordance with the formula set forth below. The price so determined applies f. o. b. factory except that you must prepay or allow freight on single shipments of 150 pounds or more to any destination within the continental United States. You must also allow a 5 percent discount on single shipment orders of $200 or more and you must adjust your ceiling price to reflect the class of purchaser differentials, credit terms, and other conditions of sale (including the redistribution compensation to warehouse jobbers for resales to wholesalers) which you had in effect on January 25, 1951.

To calculate your ceiling price, you must:

(1) Ascertain the ceiling price established by this regulation for wire, if any, manufactured by you and used in the product you are pricing;

(2) Determine the price paid by you, not in excess of the ceiling price established by the applicable Office of Price Stabilization regulation, for components (including wire) purchased by you or the ceiling price for components (other than wire) manufactured by you;

(3) Determine the direct and indirect labor costs and other expenses of manufacturing, all at the rates in effect for you on January 25, 1951;

(4) Total the figures determined in accordance with (1), (2) and (3) and multiply the result by 3. The figure thus obtained is your ceiling price for single orders of less than 200 wiring harnesses or assemblies;

(5) To determine your ceiling price for single orders of 200 or more wiring harnesses or assemblies, you must reduce the price determined in accordance with (4) by the following amounts:

(i) For single orders of 200 to 1,000, deduct 10 percent.

(ii) For single orders of 1,000 or more, deduct 20 percent.

(h) *Special power supply cords and cord sets.* Your ceiling price for any special power supply cord or cord set is the price determined in accordance with the formula set forth below. You must, however, adjust the price so determined to reflect any quantity differentials, class of purchaser differentials, credit terms, delivery terms, and other terms and conditions of sale which you had in effect on January 25, 1951.

To calculate your ceiling price, you must:

(1) Ascertain the ceiling price established by this regulation for wire, if any, manufactured by you and used in the product you are pricing;

(2) Compute the sum of the following factors:

(i) The price paid by you, not in excess of the ceiling price established by the applicable Office of Price Stabilization regulation, for components (including wire) purchased by you or the ceiling price for components (other than wire) manufactured by you;

(ii) Direct and indirect labor costs and other expenses of manufacturing, all at the rates in effect for you on January 25, 1951;

(iii) A scrap allowance of 2 percent of the total of items (i) and (ii);

(iv) 25 percent of the total of items (i), (ii), and (iii).

(3) Add the figure determined in (1) to the figure determined in (2). This is your ceiling price.

SEC. 3. *Ceiling prices for copper wire mill products not covered by section 2—*(a) *General provisions.* (1) If you manufacture and sell a copper wire mill product not covered in section 2, your ceiling price is the price determined in accordance with paragraph (b) of this section.

(2) The term "base period" used in this section means the period December 19, 1950, to January 25, 1951, inclusive; and

(3) You must adjust the price determined in accordance with paragraph (b) to reflect your extras and discounts, quantity differentials, class of purchaser differentials, credit terms, delivery terms, and other terms and conditions of sale which you had in effect on January 25, 1951.

(b) *Ceiling prices.* You must determine your ceiling price by selecting the first of the following prices which applies to the product you are pricing:

(1) The highest price for the sale of the same product to a purchaser of the same class set forth in a published price list which you had in effect during the base period;

(2) The highest price you charged for a delivery of the same products to a purchaser of the same class during the base period;

(3) The highest price at which you offered in writing to deliver the product to a purchaser of the same class during the base period; or

(4) The price determined in accordance with the formula you had in effect on January 25, 1951. You must apply such formula in exactly the same manner as you would have on January 25, 1951, and, except as hereinafter provided, you must use the materials costs, labor rates, and rates for overhead and profit which were in effect for you on that date. You may not include any cost elements which you would not have included on January 25, 1951, or, except as hereinafter provided, any increases in costs occurring after that date. If you use, in manufacturing a product you are pricing under this sub-paragraph, any other product covered by this regulation, you may use the ceiling price established by this regulation for the latter product in applying your formula.

SEC. 4. *Ceiling charges for reels, spools, and other containers.* This section sets forth the conditions under which you may charge a buyer for reels, spools, or other containers furnished by you in connection with a sale of any copper wire mill product and provisions for determining your ceiling charges. The provisions of this section are applicable whether you sell reels, spools, and other containers to a buyer of copper wire mill products or furnish them on a deposit and return basis.

(a) *Conditions under which a charge may be made.* You may charge a buyer for reels, spools, or other containers furnished by you in connection with a sale of a copper wire mill product only if:

(1) It was your practice to make such a charge during the period December 19, 1950 to January 25, 1951, inclusive;

(2) You separately state the charge in billing the buyer; and

(3) You follow the practice which you had in effect during the period December 19, 1950, to January 25, 1951, inclusive, with respect to retention or transfer of ownership, right of return, refund or repurchase, and payment of transportation costs.

(b) *Ceiling charges.* (1) Your ceiling charge for any reel, spool, or container listed in Table A is the applicable charge set forth in that table.

TABLE A

SPOOLS

Material	Diameter of flange (in inches) and charge (per spool)						
	1½ to 3¾	4 to 6	6½ to 9	10 to 12	14 to 16	18 to 20	21 to 23
Wood	$0.50	$1.00	$1.50	$4.00	$5.00	$7.00	$8.00
Wood and steel	.50	1.00	2.00	4.00	7.00	9.00	10.00
Standard steel	.50	1.00	3.00	4.00	7.00	9.00	10.00
Aluminum	.50	3.00	-----	-----	-----	-----	-----
Molded plastic	.50	-----	-----	-----	-----	-----	-----
Fiber	-----	1.50	-----	-----	-----	-----	-----
Steel, copper plated	-----	-----	-----	9.00	18.00	-----	-----
Steel (buncher)	-----	-----	-----	-----	18.00	-----	-----
Steel, heavy	-----	-----	-----	-----	-----	-----	36.00

REELS

Diameter of flange (in inches)	Material and charge (per reel)	
	Wood	Wood and steel
24 to 34	$15	$25
36 to 40	25	-----
42 to 46	36	-----
48	44	-----
54 to 56	60	-----
60 to 64	70	-----
66 to 67	80	-----
72	100	-----
78	110	-----
84	200	-----
88	220	-----
90	225	-----
92	230	-----
96	250	-----
108	400	-----

OTHER CONTAINERS

Type of container	Charge per container
Wooden bucks	$2.00
Wooden cases	4.00
Wooden pallets (6½")	15.00
Wooden pallets (10 and 12")	30.00

(2) Your ceiling charge for any reel, spool, or container not listed in Table A is the highest charge which you made for the same reel, spool, or container furnished in connection with a delivery of a copper wire mill product during the period December 19, 1950, to January 25, 1951, inclusive.

SEC. 5. *Ceiling prices for services*—(a) *Rolling or drawing services.* Your ceiling price for the service of rolling copper bars into wire rods for drawing or for the service of drawing wire rods into wire is the price calculated in accordance with the following provisions:

(1) Determine the ceiling price established in this regulation for the product to be produced by the rolling or drawing operation performed by you; and

(2) Deduct from such price the value of the material supplied by the person for whom you are furnishing the service calculated by using the following prices:

(i) For copper bars, a price of 24½ cents per pound.

(ii) For copper or copper base alloy rods, your ceiling price as determined in accordance with the provisions of this regulation.

(b) *Other services.* Your ceiling price for any service covered by this regulation, other than a service covered by paragraph (a) of this section, is the highest price which you charged for the same service furnished during the period December 19, 1950, to January 25, 1951, inclusive.

SEC. 6. *Applications for establishment of ceiling prices.* (a) If for any reason you are unable otherwise to determine a ceiling price under the provisions of this regulation, you must apply to the Office of Price Stabilization, Washington, 25, D. C., for the establishment of a ceiling price or pricing formula.

(1) Any application pursuant to this section must be made by registered mail and must contain the following information: Your name and address; the location of your plant or plants; a description of the product or service you propose to sell; a statement of the reason why you are otherwise unable to determine a ceiling price under this regulation; a proposed ceiling price or pricing formula; and a statement setting forth the factors you used in determining such price or formula.

(2) Any ceiling price or pricing formula established by the Office of Price Stabilization pursuant to this section will be in line with the ceiling prices otherwise established in this regulation.

(3) After receipt of an application pursuant to this section, the Office of Price Stabilization may approve or disapprove your proposed ceiling price or pricing formula, establish a different ceiling price or pricing formula, or request additional information. Pending any such action, you may sell the product covered by your application at your proposed ceiling price provided that you agree with the purchaser to refund the amount, if any, by which such price exceeds the ceiling price established by the Office of Price Stabilization. If the Office of Price Stabilization has not acted upon your application within 30 days of the receipt thereof, your proposed ceiling price shall be deemed to be established for all deliveries made between the date of filing of your application and the date of any order issued by the Office of Price Stabilization disposing of your application.

(b) If you are required to file an application pursuant to paragraph (a) of this section, and do not do so, the Office of Price Stabilization may issue an order establishing a ceiling price or pricing formula for you. Any ceiling price or pricing formula set forth in any such order will be in line with the ceiling prices otherwise established in this regulation and will apply to all deliveries for which a ceiling price was not otherwise established in this regulation, including deliveries completed prior to the date of the order. The issuance of such an order will not relieve you of your obligation to comply with the requirements of this regulation or of the various penalties for your failure to do so.

SEC. 7. *Petitions for amendment.* Any person who wishes to have this regulation amended may file a petition for amendment in accordance with Price Procedural Regulation 1, Revised (16 F. R. 4975).

SEC. 8. *Adjustable pricing.* Nothing in this regulation prohibits you from making a contract or offer to sell at (a) the ceiling price in effect at the time of delivery, or (b) the lower of a fixed price or the ceiling in effect at time of delivery. You may not, however, deliver or agree to deliver at a price to be adjusted upward in accordance with any increase in ceiling prices after delivery, unless authorized to do so by the Office of Price Stabilization. Such authorization may be given when a request for a change in the applicable ceiling price is pending, but only if the authorization is necessary to promote distribution or production, and if it will not interfere with the purposes of the Defense Production Act of 1950, as amended. The authorization may be given by the Director of Price Stabilization or by any official of the Office of Price Stabilization having authority to act upon the pending request for a change in price or to give the authorization. The authorization will be given by order, except that it may be given by letter or telegram when the contemplated action will be the granting of an individual application for adjustment.

SEC. 9. *Excise, sales, and similar taxes*—(a) *Federal excise taxes on certain products covered by Price Book A.* The ceiling prices set forth in Price Book A for products classified as automotive parts for purposes of Federal excise taxation include the Federal excise taxes in effect on January 25, 1951, and no addition to these ceiling prices may be made on account of such taxes. You may, however, collect in addition to these ceiling prices the amount of the increase in any Federal excise tax after January 25, 1951, if you state separately from your selling price the amount so collected.

(b) *All other taxes.* Except as provided in paragraph (a), you may collect, in addition to the ceiling prices established in this regulation, any excise, sales, or similar tax imposed upon you by reason of your sales of any products covered by this regulation if you are not prohibited by law from making such collection and if you state separately from your selling price the amount of the tax collected.

SEC. 10. *Transfers of business.* If the business, assets, or stock in trade of any manufacturer are sold or otherwise transferred after January 25, 1951, and the transferee carries on the business or continues to manufacture the same products in an establishment separate from any other establishment previously owned or operated by him, the ceiling prices of the transferee shall be the same as those to which his transferor would have been subject if no such transfer had taken place, and his obligation to keep records sufficient to verify such prices shall be the same. The transferor shall either preserve and make available, or turn over to the transferee, all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the provisions of this regulation.

SEC. 11. *Records.*—(a) *Base period records.* You must prepare and preserve for inspection by the Director of Price Stabilization for the duration of the Defense Production Act of 1950, as amended, and for two years thereafter, all records necessary to determine whether you have computed your ceiling prices correctly, including but not limited to:

(1) Records showing the class of purchaser discounts, if any, which you had in effect during the base period for products covered by section 2 of this regulation and records showing your practice, as of January 25, 1951, with respect to prices charged by you to persons who picked up such products in their own vehicles;

(2) Copies of your published price lists in effect during the base period for products covered by section 4 and other records necessary to show that you have correctly computed your ceiling prices for such products;

(3) Records showing your base period practice with respect to charges for reels, spools, and other containers and the charges which you made during that period for reels, spools, and other containers covered by section 4 (b) (2);

(4) Records showing the prices you charged during the base period for services covered by section 5 (b).

(b) *Current records.* You must prepare and keep for inspection by the Director of Price Stabilization for a period of two years records of each sale of the products and services covered by this regulation showing: The date of sale; the name and address of the seller and buyer; a description of the product or service sold; the shipping point and destination; the quantity sold; the price charged; the terms of sale; the amount of any extras or deductions; the amount of any differentials, discounts, or freight allowances; and the amount of any other factor pertinent to a determination of your ceiling price.

SEC. 12. *Interpretations.* If you have any doubt as to the meaning of this regulation, you should write to the Regional Counsel of the proper OPS Regional Office or to the Division Counsel, Industrial Materials and Manufactured Goods Division, Washington 25, D. C. for an interpretation. Any action taken by you in reliance upon and in conformity with a written official interpretation will constitute action in good faith pursuant to this regulation. Further information on obtaining official interpretations is contained in Price Procedural Regulation 1, Revised.

SEC. 13. *Prohibitions.* You shall not do any act prohibited or omit to do any act required by this regulation, nor shall you offer, solicit, attempt, or agree to do or omit to do any such acts. Specifically (but not in limitation of the above), you shall not, regardless of any contract or other obligation, sell or deliver, and no person in the regular course of trade or business shall buy or receive from you at a price higher than the ceiling price established by this regulation, and you shall keep, make and preserve true and accurate records and reports, required by this regulation. If you violate any provisions of this regulation, you are subject to criminal penalties, enforcement action, and action for damages.

SEC. 14. *Evasions.* Any means or device which results in obtaining indirectly a higher price than is permitted by this regulation or in concealing or falsely representing information as to which this regulation requires records to be kept is a violation of this regulation. This prohibition includes, but is not limited to, means or devices making use of commissions, services, cross sales, transportation arrangements, premiums, discounts, special privileges, up-grading, tie-in agreements and trade understandings, as well as the omission from records of true data and the inclusion in records of false data.

SEC. 15. *Supplementary regulations.* The Director of Price Stabilization may issue supplementary regulations modifying or supplementing this regulation as he deems appropriate.

SEC. 16. *Definitions.* When used in this regulation the term:

(a) "Base period" means the period December 19, 1950, to January 25, 1951, inclusive.

(b) "Battery cables" means cables made for conducting current from a battery to a starter, switch, or ground and consisting of insulated or bare cable in bulk or cut to length, trimmed, or untrimmed, and with or without current carrying terminals or lugs attached.

(c) "Cable accessories" includes (1) power cable end sealing devices or parts thereof including but not limited to, potheads, cable terminals, cable terminators, end bells, and junction boxes; (2) unit packages of material for splicing power cable of one or more conductors; and (3) miscellaneous materials made for jointing or splicing cables of one or more conductors, applicable to all cables for underground, aerial, or submarine use.

(d) "Class of purchaser" or "purchaser of the same class" refers to your practice of charging different prices for sales to different purchasers or kinds of purchasers. Such practice may be based on the characteristics or distributive level of the buyer (for instance, distributor, manufacturer, wholesaler, jobber, individual retail store, retail chain, mail order house, government agency, public institution, or individual consumer) or on the location of the purchaser, the quantity purchased, or whether the purchase was on a cash or credit basis. If you have followed the practice of charging an individual customer a price different from that charged others, that customer constitutes a separate class of purchaser.

(e) "Continental United States" means the 48 States of the United States and the District of Columbia.

(f) "Copper base alloy" means any alloy in which the percentage of copper by weight is 90 percent or more of the total weight of the alloy.

(g) "Copper wire mill products" has the meaning set forth in section 1 (a).

(h) "Wiring harnesses and assemblies" means harnesses and assemblies made for conducting current between interior electrical equipment in automotive vehicles, electrical appliances, or other electrical apparatus and consisting of lengths of electrical conductors twisted or grouped and held together by clamps, tapes, lacings, braids, or any combination thereof. It includes any such products whether trimmed or untrimmed and with or without current carrying tips or terminals.

(i) "Ignition sets" includes wire or cable sets made for conducting current from a coil, distributor, or magneto to a spark plug and consisting of spark plug wire or ignition cable cut to length, trimmed or untrimmed and with or without current carrying terminals or connectors.

(j) "Person" means an individual, corporation, partnership, association, or any other organized group of persons, or legal successors or representatives, of any of the foregoing; the United States government or any of its agencies; and any other government or any of its political subdivisions or agencies.

(k) "Power supply cords and cord sets" means cords and cord sets made for conducting current from the line to an appliance and consisting of Underwriters' types of flexible cord or heater cord cut to length, trimmed or untrimmed, and with or without wiring devices attached.

(l) "Special power supply cords and cord sets" includes any power supply cord or cord set not covered by Price Book A.

(m) "Special wiring harnesses and assemblies" includes any wiring harness or assembly not covered by Price Book A.

(n) "You" means a manufacturer of any copper wire mill product.

Effective date. This Ceiling Price Regulation 110 shall become effective December 26, 1951.

NOTE: All record-keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

MICHAEL V. DISALLE,
Director of Price Stabilization.

DECEMBER 21, 1951.

APPENDIX A

The following copper wire mill products are covered by Price Book A—Standard Insulated Wires and Cables:

(a) Building Wires and Cables:

(1) Types R, RH, RW, RHL, RF, TW;
(2) Non-metallic sheathed cable;
(3) Wire for use in non-metallic sheathed and armored cable;
(4) Lead covered wire for use in armored cable;
(5) Non-metallic sheathed barn cable.

(b) Service Drop and Entrance Cables:

(1) Types SD, SE, and ASE;
(2) Felted cotton Service Drop Cables;
(3) Aerial Messenger Service Drop Cables.

(c) Asbestos Insulated Cables: Types AVA, AVB, AVL, AIA, TA, AA, AF, AFPD.

(d) Insulated Aluminum Wires and Cables:

(1) Building wire, types R and RH;
(2) Service Drop and Entrance Cable.

(e) Power Cable:

(1) Fibrous Armored Cable for direct earth burial;
(2) Type RR Cable.

(f) Series Street Lighting Cable:

(1) Ornamental Pole and Bracket Cable;
(2) Thermoplastic Insulated Cable;
(3) Themoplastic Insulated and Jacketed Cable;
(4) Polyethylene Insulated, thermoplastic jacketed cable.

(g) Varnished Cambric Insulated Cable:

(1) Braided, 600, 3000 and 5000 volts;
(2) Lead covered, 600, 3000 and 5000 volts.

(h) Thermoplastic Machine Tool Switchboard and Appliance Wire.

(i) Flexible and Portable Cords and Cables:

(1) Approved Lamp Cords, Types FF, C, PO, PD, POT;
(2) Heater Cords, Types HPD and HC;
(3) Portable All-Rubber Cords, Types S, SJ, POSJ, SV;
(4) Miscellaneous non-approved Flexible Cords;
(5) Flameproof Fixture Wire, Types CF and CFC;
(6) Refrigerator Cords, Types POSJ and POT;
(7) Thermoplastic Flexible Cords, Types ST, SVT, SJT;
(8) Neoprene Jacketed Flexible Cords and Cables: Types SO and SJO; Remote Control and Drill Cords; Types W, G, SHC, SHD, Mold Cured; Mining Machine Cable, Mold Cured; High Tension Portable Cables, to 15KV.

(j) Standard Power Supply Cord Sets.

(k) Welding Cable, Neoprene and Thermoplastic Types.

(l) Telephone Wires and Cables.

(m) Aircraft Wires and Cables.

(n) Automotive wire and cables, battery cables, standard ignition sets, and standard wiring harnesses and assemblies.

(o) Miscellaneous Wires and Cables:

(1) Elevator Cables;
(2) Drive-in Theatre Cable;
(3) Bus Drop Cable;
(4) Neon Sign Cable;
(5) Annunciator and Bell Wire;
(6) Thermostat Cable;
(7) Television Wire, 300 ohm, Twin.

[F. R. Doc. 51-15316; Filed, Dec. 21, 1951; 12:13 p. m.]

Chapter IV—Salary and Wage Stabilization, Economic Stabilization Agency

Subchapter B—Wage Stabilization Board

[General Wage Regulation 11, Area Ceiling Determination 3]

GWR 11—AGRICULTURAL LABOR

ACD 3—CITRUS HARVEST IN DESIGNATED COUNTIES IN FLORIDA

Pursuant to the Defense Production Act of 1950, as amended (Pub. Law 774, 81st Cong., Pub. Law 96, 82d Cong.), E. O. 10161 (15 F. R. 6105), E. O. 10233 (16 F. R. 3503), General Order No. 3, Economic Stabilization Administrator (16 F. R. 739) General Wage Regulation No. 11 (16 F. R. 4938), and Wage Stabilization Board Resolution 37 (16 F. R. 8954) this Area Ceiling Determination No. 3 to GWR-11, is hereby issued.

STATEMENT OF CONSIDERATIONS

General Wage Regulation 11 authorizes employers of agricultural labor to increase their base wage rates without Board approval up to certain specified levels, or by 10 percent. By Board Resolution 37 as amended, the National Wage Stabilization Board has authorized the Regional Board for the Fifth Region to establish maximum wage ceilings for specific agricultural operations in defined areas. Upon the basis of requests from interested parties for the establishment of an area ceiling rate for the harvesting of the citrus crop, public hearings were held on November 8, 9, 10, 12, 13, and 14, 1951, at Lakeland, Florida, to assist the Regional Board in determining whether an area ceiling for harvesting the citrus crop should be established. Agricultural employers, employees, and other interested persons in the area and in nearby areas were given an opportunity to appear and testify or to submit written information. Based upon information and data obtained at these hearings and from information and data available to it from other sources, the Regional Board has determined that an area ceiling establishing maximum permissible wage rates which would be applicable to all employers, labor contractors, and employees engaged in that operation in the following designated Counties in the State of Florida will serve to stabilize agricultural wages. However, the evidence submitted was adequate only for the purpose of establishing interim rates pending the holding of additional hearings. In the judgment of the Regional Board the following determination is generally fair and equitable and will effectuate the purpose of Title IV and Title VII of the Defense Production Act of 1950, as amended.

REGULATORY PROVISIONS

Sec.
1. Areas, operations and classes of employees covered.
2. Area ceiling wage rates.
3. Administration.

AUTHORITY: Sections 1 to 3 issued under sec. 704, 64 Stat. 816, Pub Law 96, 82d Cong.; 50 U. S. C. App. Sup. 2154. Interpret or apply Title IV, 64 Stat. 803, Pub Law 96, 82d Cong.; 50 U. S. C. App. Sup. 2101–2110, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp., E. O. 10233, Apr. 21, 1951, 16 F. R. 3503.

SECTION 1. *Areas, operations and classes of employees covered.* This area ceiling determination, shall be applicable to all employers, labor contractors and employees hired to harvest the citrus crop during the 1951–52 citrus harvest in the following counties in the State of Florida: Hillsborough, Citrus, Hernando, Putnam, Marion, Volusia, Brevard, Martin, Dade, Highlands, Desoto, Hendry, Polk, Pinellas, Sumter, Pasco, St. Johns, Levy, Orange, Indian River, Palm Beach, Sarasota, Okeechobee, Charlotte, Collier, Manatee, Lake, Alachua, Flagler, Seminole, Osceola, St. Lucie, Broward, Hardee, Glades, Lee and Monroe.

SEC. 2. *Area ceiling wage rates.* An employer covered by this area ceiling determination may, without further approval, pay at any rate up to but not exceeding the following:

(a) *Pickers (oranges).*

	Cents per field box
Clean picking—general of budded oranges	20
Spot picking of budded oranges	22
Clean-up picking of budded oranges	25

An additional 3 cents per box may be paid for clipping.

(b) *Pickers (grapefruit).*

	Cents per field box
General clean picking of grapefruit	11
Spot picking of grapefruit	13
Clean-up picking of grapefruit	13

An additional 3 cents per box may be paid for clipping.

(c) *Pickers (tangerines).* 45 cents per field box.

(d) *Loaders.* 1¾ cents per man for each handling of a field box.

(e) *Truck drivers.* $1.05 per hour, no overtime.

(f) *Waiting time.* 95 cents per hour.

(That is, any time spent by the picker or other piece-work employee at the grove when not engaged in picking, exclusive of the usual lunch and rest period.)

SEC. 3. *Administration.* (a) This area ceiling determination will be administered by the Wage Stabilization Board, Regional Office V, 78 Marietta Street, Atlanta, Georgia, pending establishment of a field office at Tampa, Florida.

(b) An employer whose agricultural operations are covered by this area ceiling determination may request the Regional Office for individual adjustments in the area ceiling rates desig-

nated in section 2 of this determination. The employer must establish that the proposed adjustment is needed because of special conditions which may prevent his employees from earning amounts which are fairly comparable to their earning capacity under normal circumstances in the area. The Regional Office may grant such adjustment as it feels warranted from the information submitted by the applicant and from any investigation it may make. The employer may be required to post a notice of any individual adjustment in the area ceiling rate which may be granted him.

(c) Any violation of this area ceiling determination constitutes a violation of the Defense Production Act of 1950, as amended, and may subject the violator to the penalties prescribed therein, and in the General Wage Procedural Regulation, adopted September 20, 1951 (16 F. R. 10018).

Effective date. This determination shall become effective on December 11, 1951, and shall continue in effect until such time as modified by the Regional Wage Stabilization Board.

DE WITT H. ROBERTS,
Chairman,
Wage Stabilization Board.

DECEMBER 4, 1951.

[F. R. Doc. 51-15224; Filed, Dec. 21, 1951; 8:56 a. m.]

Chapter XXI—Office of Rent Stabilization, Economic Stabilization Agency

[Rent Regulation 1]

RR 1—HOUSING RENT REGULATION

This regulation is issued pursuant to the Housing and Rent Act of 1947, as amended. It was formerly designated as §§ 825.1 to 825.12 in Subpart A of Part 825, Chapter VIII, Title 24 and is hereby recodified, amended, and transferred to Title 32A.

1—DEFINITIONS AND SCOPE

DEFINITIONS

Sec.
1. Act.
2. Director.
3. Area rent director.
4. Local Advisory Board.
5. Area rent office.
6. Person.
7. Housing accommodations.
8. Controlled housing accommodations.
9. Services.
10. Landlord.
11. Tenant.
12. Rent.
13. Motor court.
14. Tourist home.
15. Rooming house.
16. Maximum rent date.
17. Effective date of regulation.

SCOPE

31. Housing and defense-rental areas to which this regulation applies.

EXEMPTED HOUSING ACCOMMODATIONS

36. Farming tenants.
37. Service employees.
38. Accommodations in hotels, motor courts, rooming houses and other establishments.
39. Structures subject to underlying leases.
40. Rented to National Housing Agency.
41. Resort housing.
42. Housing accommodations subject to national rent schedule of Army, Navy, or Air Force.
43. Charitable or educational institutions.

DECONTROLLED HOUSING ACCOMMODATIONS

51. Accommodations in hotels.
52. Motor courts.
53. Trailer or trailer space.
54. Tourist homes.
55. Accommodations created by new construction or change from non-housing use.
56. Additional housing accommodations created by conversion.
57. Non-housekeeping furnished accommodations.
58. Luxury accommodations.

MISCELLANEOUS PROVISIONS

61. Effect of this regulation on leases and other rental agreements.
62. Waiver of benefit void.

2—PROHIBITIONS AGAINST HIGHER THAN MAXIMUM RENTS

71. General prohibition.
72. Lease with option to buy.
73. Security deposits.

3—MINIMUM SERVICES

76. Minimum space, services, furniture, furnishings, and equipment.

4—MAXIMUM RENTS

HOUSING ACCOMMODATIONS OF A CLASS UNDER CONTROL IN A RENT CONTROLLED AREA ON SEPTEMBER 19, 1951

81. Maximum rents in effect on June 30, 1947.
82. Maximum rents in statutory lease cases.
83. First rent after June 30, 1947 (see also section 85).
84. Housing subject to rent schedule of Army, Navy, or Air Force Department.
85. Increase or decrease in space on or after April 1, 1948.

HOUSING ACCOMMODATIONS OF A CLASS OR IN A DEFENSE RENTAL AREA NOT UNDER CONTROL ON SEPTEMBER 19, 1951

91. Rented on maximum rent date.
92. Under Federal rent control on maximum rent date.
93. First rent after maximum rent date.
94. Change after maximum rent date but before effective date.
95. Increase or decrease in space after maximum rent date.
96. Rents received subject to refund.
97. Housing subject to rent schedule of Army, Navy, or Air Force Department.
98. Housing owned and constructed by the Government.
99. Housing subject to a mortgage insured by the Federal Housing Commissioner.

5—ADJUSTMENTS AND OTHER DETERMINATIONS

GENERAL

111. General considerations.
112. Landlord's certification as to services, etc.
113. Effective date of rent increases.

STANDARDS

116. General.
117. Difference in rental value.
118. Rent generally prevailing.
119. Seasonal rent cases.
120. Rent increase approved by Government agency.
121. Correction of error.

GROUNDS FOR INCREASE OF MAXIMUM RENT

126. Grounds for increase of maximum rent.
127. Major capital improvement after maximum rent date.
128. Change prior to maximum rent date.
129. Substantial increase in space, services, furniture, furnishings or equipment.
130. Varying rents.
131. Seasonal rents.
132. Substantial increase in occupancy.
133. Priority rating granted on September 1941 application form of Office of Production Management.
134. Inequitable rents.
135. Company housing accommodations.
136. Changes from year round to seasonal renting.
137. Approval of higher rents for priority constructed housing.
138. Housing accommodations not yielding fair net operating income.
139. Ineffective statutory lease.
140. Adjustment for increases in costs and prices.

DECREASES IN MINIMUM SERVICES, FURNITURE, FURNISHINGS, EQUIPMENT AND SPACE

146. Requirements for petition and order, or report.
147. Adjustment in maximum rent for decreases on or after April 1, 1948.
148. Refund to tenant.
149. Adjustment in maximum rent for decreases prior to April 1, 1948.

GROUNDS FOR DECREASE OF MAXIMUM RENT

156. Grounds for decrease of maximum rent.
157. Rent higher than rents generally prevailing.
158. Substantial deterioration.
159. Decreases in space, services, furniture, furnishings or equipment.
160. Special relationship between landlord and tenant or peculiar circumstances.
161. Varying rents.
162. Seasonal rent.
163. Substantial decrease in occupancy.

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167. Sale of underlying lease or other rental agreement.
168. Interim orders.
169. Adjustments in case of options to buy.
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GROUNDS

181. Restrictions on removal of tenant.
182. Violating substantial obligation of tenancy.
183. Nuisance or illegal or immoral use.
184. Tenant's refusal of access to landlord.
185. Accommodations entirely sublet.
186. Landlord is a State or political subdivision thereof.

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191. Eviction certificate; evictions not inconsistent with regulation.
192. Occupancy by landlord or by landlord's parent or child.
193. Alterations or remodeling.
194. Withdrawal from rental market.
195. Landlord is tax-exempt organization.
196. Eviction not inconsistent with act or regulation.
197. Eviction certificates; waiting period; valid use of certificate.

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Sec.
201. Notice required.

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206. Exceptions.

7—REGISTRATION

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214. Housing in Puerto Rico Defense-Rental Area.

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226. Civil action.
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10—PROCEDURE

231. Procedure.

11—ADOPTION OF ORDERS

236. Adoption of orders.

AUTHORITY: Sections 1 to 236 issued under sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894.

1—DEFINITIONS AND SCOPE

DEFINITIONS

SECTION 1. *Act.* "Act" means the Housing and Rent Act of 1947, as amended.

SEC. 2. *Director.* "Director" means Director of Rent Stabilization, or the Area Rent Director or such other person or persons as the Director of Rent Stabilization may appoint or designate to carry out any of the duties delegated to him pursuant to the act.

SEC. 3. *Area rent director.* "Area Rent Director" means the person designated by the Director as director of the defense-rental area or such person or persons as may be designated to carry out any of the duties delegated to the Area Rent Director by the Director.

SEC. 4. *Local Advisory Board.* "Local Advisory Board" means a board created in a defense-rental area, or a part thereof, the members of which are appointed by the Director upon recommendations made by the Governor or as otherwise required by section 204 (e) of the Housing and Rent Act of 1947, as amended.

SEC. 5. *Area rent office.* "Area rent office" means the office of the Area Rent Director in the defense-rental area.

SEC. 6. *Person.* "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

SEC. 7. *Housing accommodations.* "Housing accommodations" means any building, structure, or part thereof, or land appurtenant thereto, or any other real or personal property rented or offered for rent for living or dwelling purposes, together with all privileges, services, furnishings, furniture, equipment, facilities and improvements connected with the use or occupancy of such property.

SEC. 8. *Controlled housing accommodations.* "Controlled housing accommodations" means any housing accommodation in any defense-rental area which is not specifically exempted from control or decontrolled under this regulation.

SEC. 9. *Services.* "Services" includes repairs, decorating and maintenance, the furnishing of light, heat, hot and cold water, telephone, elevator service, window shades, and storage, kitchen, bath, and laundry facilities and privileges, maid service, linen service, janitor service, and removal of refuse and any other privilege or facility connected with the use or occupancy of housing accommodations.

SEC. 10. *Landlord.* "Landlord" includes an owner, lessor, sublessor, assignee, or other person receiving or entitled to receive rent for the use or occupancy of any housing accommodations, or an agent of any of the foregoing.

SEC. 11. *Tenant.* "Tenant" includes a subtenant, lessee, sublessee, or other person entitled to the possession or to the use or occupancy of any housing accommodations.

SEC. 12. *Rent.* "Rent" means the consideration, including any bonus, benefit, or gratuity demanded or received for or in connection with the use or occupancy of housing accommodations or the transfer of a lease of such accommodations.

SEC. 13. *Motor court.* "Motor court" means an establishment renting rooms, cottages or cabins; supplying parking or storage facilities for motor vehicles in connection with such renting and other services and facilities customarily supplied by such establishments; and commonly known as a motor, auto or tourist court in the community.

SEC. 14. *Tourist home.* "Tourist home" means a rooming house which caters primarily to transient guests and is known as a tourist home in the community.

SEC. 15. *Rooming house.* "Rooming house" means, in addition to its customary usage, a building or portion of a building other than a hotel or motor court in which a furnished room or rooms not constituting an apartment are rented on a short term basis of daily, weekly, or monthly occupancy. The term includes boarding houses, dormitories, residence clubs and all other establishments of a similar nature, including tourist homes, as well as rooms in private homes.

SEC. 16. *Maximum rent date.* "Maximum rent date" means the maximum rent date applicable in any particular defense-rental area or portion thereof as set forth in Schedule A.

SEC. 17. *Effective date of regulation.* "Effective date of regulation" means the effective date of the Rent Regulation for Housing, issued pursuant to the Emergency Price Control Act of 1942, as amended, or the effective date of this regulation, whichever is applicable, for each defense-rental area, or portion thereof, as indicated in Schedule A except where the context indicates clearly to the contrary.

SCOPE

SEC. 31. *Housing and defense-rental areas to which this regulation applies.* (a) This regulation (except the provisions contained in Schedule B), applies to all housing accommodations within each of the defense-rental areas and each of the portions of a defense-rental area, which are listed in Schedule A, except as otherwise provided in sections 36 to 58.

(b) In Schedule A, the "maximum rent date" and the "effective date of regulation," are given for each defense-rental area listed. More than one maximum rent date or more than one effective date are given for different portions of a defense-rental area or for different classes of housing accommodations where the same maximum rent date or effective date is not applicable to the entire defense-rental area or to all housing accommodations in the defense-rental area.

(c) In Schedule B are set forth provisions which modify or supplement this regulation insofar as it is applicable to certain individual defense-rental areas, or portions thereof or to a class or classes of housing accommodations in a defense-rental area.

EXEMPTED HOUSING ACCOMMODATIONS

SEC. 36. *Farming tenants.* This regulation does not apply to housing accommodations situated on a farm and occupied by a tenant who is engaged for a substantial portion of his time in farming operations thereon.

SEC. 37. *Service employees.* This regulation does not apply to dwelling space occupied by domestic servants, caretakers, managers, or other employees to whom the space is provided as part or all of their compensation and who are employed for the purpose of rendering services in connection with the premises of which the dwelling space is a part.

SEC. 38. *Accommodations in hotels, motor courts, rooming houses and other establishments.* This regulation does not apply to accommodations subject to the provisions of Rent Regulation 2—Rooms in Rooming Houses and Other Establishments and Rent Regulation 3—Hotel Regulation.

SEC. 39. *Structures subject to underlying leases.* (a) This regulation does not apply to: entire structure or premises wherein more than 25 rooms are rented or offered for rent by any lessee, sublessee or other tenant of such entire structure or premises, except as provided in paragraph (c) of this section.

(b) This regulation does not apply to entire structures or premises where 25 or less rooms are rented or offered for rent by any lessee, sublessee, or other tenant of such entire structures or premises: *Provided,* That all of the housing accommodations in such structures or

premises are exempt or decontrolled under the provisions of sections 36 to 58 p. 178 and are not subject to the provisions of Rent Regulation 2—Rooms in Rooming Houses and Other Establishments.

(c) This regulation does apply to an underlying lease of any entire structure or premises which was entered into after the maximum rent date and prior to the effective date of the regulation while such lease remains in force with no power in the tenant to cancel or otherwise terminate the lease, unless all of the housing accommodations in such structure are exempt or decontrolled under the provisions of sections 36 to 58 and are not subject to the provisions of Rent Regulation 2.

SEC. 40. *Rented to National Housing Agency.* This regulation does not apply to housing accommodations rented to the United States acting by the National Housing Agency: *Provided, however,* That this regulation does apply to a sublease or other subrenting of such accommodations or any part thereof.

SEC. 41. *Resort housing.* This regulation does not apply to housing accommodations located in a resort community and customarily rented or occupied on a seasonal basis prior to September 1, 1951, or the effective date of regulation applicable to such housing accommodations, whichever is later, or newly constructed or newly converted housing accommodations which have been rented or occupied on a seasonable basis since they were first rented or occupied. "Rented or occupied on a seasonal basis" means (a) rented or occupied during the "in season" (winter or summer) and vacant during the "off season," or (b) rented during the "in season" at a substantially higher rent than during the "off season." This exemption shall be effective only from June 1st to September 30th, inclusive, in the case of summer resort housing and only from October 1st to May 31st, inclusive, in the case of winter resort housing. This provision shall not be construed to recontrol any housing accommodation which was exempt from the rent regulation under the summer or winter resort housing exemption provisions as they read on September 19, 1951.

NOTE: For resort housing exemption provisions as they read on September 19, 1951, see former § 825.1 (b) (1) (vi), 14 F. R. 5712, Sept. 17, 1949.

SEC. 42. *Housing accommodations subject to national rent schedule of Army, Navy, or Air Force.* This regulation does not apply to housing accommodations rented by the Army, Navy or Air Force at a rent fixed by a national schedule of rents of the Army, Navy or Air Force.

SEC. 43. *Charitable or educational institutions.* This regulation does not apply to housing accommodations operated by educational or charitable institutions and used in carrying out their educational or charitable purposes.

DECONTROLLED HOUSING ACCOMMODATIONS

SEC. 51. *Accommodations in hotels.* Unless otherwise provided in Schedule A, this regulation does not apply to those housing accommodations in any hotel which on June 30, 1947, were occupied by persons to whom were provided customary hotel services such as maid service, furnishing and laundering of linen, telephone and secretarial or desk service, use and upkeep of furniture and fixtures, and bellboy services (not necessarily all the types of services named need be provided in all cases, as long as enough are provided to constitute customary hotel services usually supplied in establishments commonly known as hotels in the community where they are located). For purposes of this section, the term "hotel" means any establishment which is commonly known as a hotel in the community in which it is located and which provides customary hotel services.

SEC. 52. *Motor courts.* Unless otherwise provided in Schedule A, this regulation does not apply to housing accommodations in establishments which were motor courts on June 30, 1947.

SEC. 53. *Trailer or trailer space.* Unless otherwise provided in Schedule A, this regulation does not apply to housing accommodations located in trailers and ground space rented for trailers, which on April 1, 1949, were used exclusively for transient occupancy, i. e., rented on a daily basis to tenants who had not continuously resided therein on and since March 1, 1949.

SEC. 54. *Tourist homes.* Unless otherwise provided in Schedule A, this regulation does not apply to housing accommodations in any tourist home serving transient guests exclusively on June 30, 1947.

SEC. 55. *Accommodations created by new construction or change from non-housing use.* (a) Unless otherwise provided in Schedule A, this regulation does not apply to housing accommodations the construction of which was completed, or which were created by a change from a non-housing to a housing use, on or after February 1, 1947: *Provided, however,* That maximum rents established under the Veterans' Emergency Housing Act for priority constructed housing accommodations completed on or after February 1, 1947, shall continue in full force and effect, if such accommodations are being rented to veterans of World War II or their immediate families, who, on June 30, 1947, either (1) occupied such housing accommodations, or (2) had a right to occupy such housing accommodations at any time on or after July 1, 1947, under any agreement whether written or oral.

(b) Unless otherwise provided in Schedule A, this regulation does not apply to housing accommodations the construction of which was completed between February 1, 1945 and January 31, 1947, both dates inclusive, and which between the date of completion and June 30, 1947, both dates inclusive, at no time were rented as housing accommodations (other than to members of the immediate family of the landlord).

(c) For purposes of this section, the time at which construction of housing accommodations shall be deemed to be "completed" shall be the date on which the dwelling is first suitable for occupancy and all utility and service connections have been made, except for the installation of such items and the completion of such decoration work, as, in accordance with the custom of the community, are left for installation by, or to the choice of, the purchaser or the tenant.

SEC. 56. *Additional housing accommodations created by conversion.* (a) Unless otherwise provided in Schedule A, this regulation does not apply to additional housing accommodations created on or after February 1, 1947, by a conversion (i. e., a structural change in a residential unit or units involving substantial alterations and remodeling) which was created on or before March 31, 1949, but subject to the proviso clause set forth in section 55 (a).

(b) Unless otherwise provided in Schedule A, this regulation does not apply to housing accommodations as to which a decontrol order has been entered by the Director based on a conversion created on or after April 1, 1949, but subject to the proviso clause set forth in section 55 (a). On petition by the owner such a decontrol order shall be entered by the Director, if the following facts are established:

(1) There has been a structural change in a residential unit or units involving substantial alterations or remodeling; and

(2) Such change has resulted in additional, self-contained family units.

(c) For purposes of this section, the term "self-contained family unit" means a housing accommodation with private access, containing one or more rooms in addition to a kitchen (including kitchenette or pullman kitchen) and a private bathroom: *Provided, however,* That where a housing accommodation meets all these conditions except that it has no private bathroom or no bathroom facilities other than toilet, the Area Rent Director may waive such requirement if he finds that the accommodation is of the type recognized as a self-contained family unit in the neighborhood in which it is located.

SEC. 57. *Non-housekeeping furnished accommodations.* Unless otherwise provided by Schedule A, this regulation does not apply to non-housekeeping furnished housing accommodations, located within a single dwelling unit not used as a rooming or boarding house, but only if no more than two paying tenants, not members of the landlord's immediate family live in such dwelling unit, and the remaining portion of such dwelling unit is occupied by the landlord or his immediate family. (See definition of rooming house in section 15.)

SEC. 58. *Luxury accommodations.* (a) Unless otherwise provided by Schedule A, this regulation does not apply to luxury housing accommodations as to which a decontrol order has been issued by the Director. On petition of the landlord, filed on the Director's Form D–118 in accordance with the instructions there-

on, the Director shall decontrol any luxury housing accommodations if in his judgment such action will result in the creation of additional self-contained family rental units by conversion of such luxury accommodations. Such decontrol order shall be effective no earlier than 30 days after the date of its issuance and may contain such conditions as the Director may deem appropriate to effectuate the purposes of this section.

(b) For purposes of this section:

(1) The term "luxury housing accommodations" means unfurnished housing accommodations, located in a multi-unit structure, rented for use by no more than a single family and having a maximum rent in excess of $290 per month or such lower rental figure as the area rent director may determine to be representative of rentals for luxury housing accommodations in his defense-rental area or portion thereof.

(2) The terms "self-contained family unit" and "conversion" shall have the same meaning as in section 56 (c).

MISCELLANEOUS PROVISIONS

SEC. 61. *Effect of this regulation on leases and other rental agreements.* The provisions of any lease or other rental agreement shall remain in force pursuant to the terms thereof, except insofar as those provisions are inconsistent with this regulation.

SEC. 62. *Waiver of benefit void.* An agreement by the tenant to waive the benefit of any provision of this regulation is void. A tenant shall not be entitled by reason of this regulation to refuse to pay or to recover any portion of any rents due or paid for use or occupancy prior to the effective date of this regulation.

2—PROHIBITIONS AGAINST HIGHER THAN MAXIMUM RENTS

SEC. 71. *General prohibition.* Regardless of any contract, agreement, lease, or other obligation heretofore or hereafter entered into, no person shall offer, demand or receive any rent for or in connection with the use or occupancy on and after the effective date of this regulation of any housing accommodations within the defense-rental area higher than the maximum rents provided by this regulation; and no person shall offer, solicit, attempt, or agree to do any of the foregoing. A reduction in the services, furniture, furnishings, or equipment required under section 76 shall constitute an acceptance of rent higher than the maximum rent. Lower rents than those provided by this regulation may be demanded or received.

SEC. 72. *Lease with option to buy.* Where a lease of housing accommodations was entered into prior to the effective date of regulation (or prior to October 20, 1942, where the effective date of regulation is prior to that date) and the tenant as a part of such lease or in connection therewith was granted an option to buy the housing accommodations which were the subject of the lease, with the further provision that some or all of the payments made under the lease should be credited toward the purchase price in the event such option is exercised, the landlord, notwithstanding any other provision of this regulation, may be authorized to receive payment made by the tenant in accordance with the provisions of such lease and in excess of the maximum rent for such housing accommodations. Such authority may be secured only by a written request of the tenant to the area rent office and shall be granted by order of the Director if he finds that such payments in excess of the maximum rent will not be inconsistent with the purposes of the act or this regulation and would not be likely to result in the circumvention or evasion thereof. After entry of such order the landlord shall be authorized to demand, receive and retain and the tenant shall be authorized to offer payments provided by the lease in excess of the maximum rent for periods commencing on or after the effective date of this regulation. After entry of such order, the provisions of the lease may be enforced in accordance with law, notwithstanding any other provision of this regulation. Nothing in this section shall be construed to authorize the landlord to demand or receive or the tenant to offer payments in excess of the maximum rent in the absence of an order of the Director as provided in this section. Where a lease of housing accommodations has been entered into on or after the effective date of regulation (or on or after October 20, 1942, where the effective date of regulation is prior to that date), and the tenant as a part of such lease or in connection therewith has been granted an option to buy the housing accommodations which are the subject of the lease, the landlord, prior to the exercise by the tenant of the option to buy, shall not demand or receive nor shall the tenant offer payments in excess of the maximum rent, whether or not such lease allocates some portion or portions of the periodic payments therein provided as payment on or for the option to buy.

SEC. 73. *Security deposits.* (a) *General prohibition.* Regardless of any contract, agreement, lease, or other obligation heretofore or hereafter entered into, no person shall demand, receive or retain a security deposit for or in connection with the use or occupancy of housing accommodations within the defense-rental area except as provided in this section. The term "security deposit," in addition to its customary meaning, includes any prepayment of rent except payment in advance of the next periodic installment of rent for a period no longer than one month but shall not include rent voluntarily prepaid subsequent to possession by a tenant under a written lease for his own convenience. Paragraphs (b) to (i), inclusive, of this section shall be applicable to all housing accommodations with maximum rents established under sections 81 to 85 and section 92. Paragraphs (g), (i), and (j) of this section shall be applicable to all housing accommodations with maximum rents established under sections 91 to 98 except maximum rents established under section 92.

(b) *Maximum rent established under section 4 (a) or (b) of the Rent Regulation for Housing, issued pursuant to the Emergency Price Control Act of 1942, as amended.* Where the maximum rent of the housing accommodations is or initially was established under said section 4 (a) or (b), no security deposit shall be demanded, received, or retained except in the amount (or any lesser amount) and on the same terms and conditions (or on terms and conditions less burdensome to the tenant) provided for in the lease or other rental agreement in effect on the date of determining the maximum rent established under said section 4 (a) or (b).

(c) *Maximum rent established under section 4 (c) or (d) of the Rent Regulation for Housing, issued pursuant to the Emergency Price Control Act of 1942, as amended.* Where the maximum rent of the housing accommodations is or initially was established under said section 4 (c) or (d), no security deposit shall be demanded, received, or retained except in the amount (or any lesser amount) and on the same terms and conditions (or on terms and conditions less burdensome to the tenant) provided for in the lease or other rental agreement under which the accommodations were first rented or in any order heretofore or hereafter entered. Where such lease or other rental agreement provided for a security deposit, the Director at any time, on his own initiative or on application of the tenant, may order a decrease in the amount of such deposit or may order its elimination.

(d) *Maximum rent established under section 4 (e) or 4 (j) of the Rent Regulation for Housing, issued pursuant to the Emergency Price Control Act of 1942, as amended.* Where the maximum rent of the housing accommodations is or initially was established under said section 4 (e) or 4 (j), no security deposit shall be demanded or received.

(e) *Maximum rent established under section 4 (f) of the Rent Regulation for Housing, issued pursuant to the Emergency Price Control Act of 1942, as amended.* Where the maximum rent of the housing accommodations is or initially was established under said section 4 (f), no security deposit shall be demanded, received, or retained.

(f) *Maximum rent established under section 4 (g) or 4 (h) of the Rent Regulation for Housing, issued pursuant to the Emergency Price Control Act of 1942, as amended.* Where the maximum rent of the housing accommodations is or initially was established under said section 4 (g) or 4 (h), no security deposit shall be demanded or received, except in the amount (or any lesser amount) and on the same terms and conditions (or on terms and conditions less burdensome to the tenant) provided for in the lease or other rental agreement in effect on September 1, 1944. Where such accommodations were or are first rented after September 1, 1944, no security deposit shall be demanded, received, or retained.

(g) *Deposits to secure the return of certain movable articles.* Notwithstanding the preceding provisions of this section, any landlord may petition for an order authorizing the demand and re-

ceipt of a deposit to secure the return of movable articles. If the landlord shows that he has a special need therefor, the Director may enter an order authorizing a security deposit, not in excess of ten dollars, to secure the return of the movable articles specified in the order.

(h) *Deposits on certain leased furnished accommodations.* Notwithstanding the preceding provisions of this section, any landlord may demand, receive and retain as a security deposit, the rent for the last rental period of the term, not exceeding one month, where a newly constructed housing accommodation is, or was, rented and occupied for the first time after March 25, 1947, fully furnished, under a written lease, or where such newly constructed housing accommodation was rented and occupied for the first time on or prior to March 25, 1947, fully furnished, under a written lease, and was constructed with a priority rating or under specific authorization by the United States or any agency thereof for which the rent was approved by the United States or any agency thereof and the entire project covered by the single priority application of which the housing accommodation was a part was not completed until after March 25, 1947.

(i) *Deposits based on prior rental practices.* Notwithstanding the preceding provisions of this section, any landlord may demand, receive, and retain in the case of any rental agreement entered into on or after April 1, 1948, a security deposit, if said deposit does not exceed the rent for one month in addition to the otherwise authorized collection of rent in advance, if the demand, collection or retention of such a security deposit was an accepted rental practice, prior to January 30, 1942, in the area in which the premises are located, or was customarily required before that date by the same landlord in the renting of the particular housing accommodations involved, and if the tenant is allowed, under the terms of the rental agreement, to occupy the premises for the period covered by the security deposit without further payment of rent. Each Area Rent Director shall determine the rental practice or practices, prior to January 30, 1942, with reference to such security deposits in the particular area or any portion thereof.

(j) *Maximum rents established under sections 91, 93, 94, 95, or 98.* Where the maximum rent of the housing accommodation is established on the effective date of the regulation under sections 91, 93, 94, 95, or 98 no security deposit shall be demanded, received or retained except in the amount (or in a lesser amount) and on the same terms and conditions (or on terms and conditions less burdensome to the tenant) provided for in the lease or other rental agreement in effect on the date determining the maximum rent: *Provided, however,* That where such lease or other rental agreement provided for a security deposit the Director at any time on his own initiative, or on application of the tenant, may order a decrease in the amount of such deposit, or may order its elimination.

3—Minimum Services

Sec. 76. *Minimum space, services, furniture, furnishings, and equipment.* Every landlord shall, as a minimum, provide with housing accommodations the same living space and the same essential services, furniture, furnishings and equipment as were provided on the date determining the maximum rent, and as to other services, furniture, furnishings and equipment not substantially less than those provided on the date determining the maximum rent, plus or minus any increases or decreases made pursuant to section 129 or sections 146 to 149 or the comparable provisions of the rent regulations issued pursuant to the Emergency Price Control Act of 1942, as amended.

4—Maximum Rents

Housing accommodations of a class under control in a rent controlled area on September 19, 1951

Sec. 81. *Maximum rents in effect on June 30, 1947.* Except as otherwise provided in sections 81 to 85, the maximum rent for any housing accommodations subject to this regulation shall be the maximum rent which was in effect on June 30, 1947, as established under the Emergency Price Control Act of 1942, as amended, and the applicable rent regulation issued thereunder, plus or minus adjustments under sections 111 to 170.

Sec. 82. *Maximum rents in statutory lease cases.* (a) For housing accommodations concerning which a statutory lease is in effect the maximum rent, until such lease is terminated or expires, shall be the rent set forth in such lease.

(b) For housing accommodations concerning which a statutory lease has heretofore terminated or expired or hereafter terminates or expires, the maximum rent shall be the rent set forth in such lease, plus or minus adjustments under sections 111 to 170: *Provided, however,* That if immediately prior to the execution of any such statutory lease alternate maximum rents were in effect for the housing accommodations covered by such lease, the maximum rent for each alternative not referred to in the lease shall be determined as if it had been included in such lease: *And provided further,* That if such housing accommodations are in a defense-rental area in which a general increase in maximum rents has been or is hereafter granted, the maximum rent shall be such lease rent plus or minus adjustments under sections 111 to 170, or the maximum rent in the absence of a lease, whichever is higher.

(c) A landlord shall file a report in the area rent office, on a form provided by the Director, of any termination of a statutory lease prior to the expiration date of the lease, unless such report was filed prior to April 1, 1949. Such report shall be filed within fifteen days after such termination or fifteen days after April 1, 1949, whichever is later.

(d) For purposes of this section, the term "statutory lease" means a lease as described in section 204 (b) (2) or 204 (b) (3) of the Housing and Rent Act of 1947, as amended, and § 825.1 (b) (2) (v), as they read prior to April 1, 1949.

Note: For text of former § 825.1 (b) (2) (v), see 13 F. R. 5708, Oct. 2, 1948.

Sec. 83. *First rent after June 30, 1947 (see also section 85).* (a) For housing accommodations first rented on or after July 1, 1947, the maximum rent shall be the first rent for such accommodations. The landlord shall, within 30 days after renting said accommodations, file a proper registration statement in the area rent office in accordance with the provisions of sections 211 to 214, except that in the case of controlled housing accommodations which were not included as controlled housing accommodations on March 31, 1949, such registration shall be made by the end of such 30 day period, or by May 15, 1949, whichever date is later. The Director may order a decrease in the maximum rent as provided in sections 157 and 162.

(b) If the Director finds that the landlord or any successor landlord knew of his obligation to register and negligently failed or deliberately refused to do so, the rent received for any rental period commencing on or after the date of first renting shall be received subject to refund to the tenant of any amount in excess of the maximum rent which may later be fixed by an order under sections 157 or 162: *Provided, however,* That the order under sections 157 or 162 may relieve the landlord or any successor landlord of the duty to refund the excess rent for any rental period during which the landlord or any successor landlord neither negligently failed nor deliberately refused to register. The landlord or any successor landlord shall have the duty to refund only if the order under sections 157 or 162 is issued in a proceeding commenced by the Director within 3 months after the date of the filing of such registration statement. If a refund is required by the order under sections 157 or 162 such amount shall be refunded to the tenant within 30 days after the date of the issuance of the order unless the refund is stayed in accordance with the provisions of Rent Procedural Regulation 2.

Sec. 84. *Housing subject to rent schedule of Army, Navy, or Air Force Department.* Where housing accommodations on June 30, 1947, are rented to either Army, Navy, or Air Force personnel, including civilian employees of the Army, Navy, or Air Force Department for which the rent is fixed by the national rent schedule of the Army, Navy, or Air Force Department, and on or after July 1, 1947, the rents on such housing accommodations cease to be governed by the national rent schedule of the Army, Navy or Air Force Department, the maximum rents shall be those which would have been applicable under the appropriate subsection of section 4 of the Rent Regulation for Housing issued pursuant to the Emergency Price Control Act of 1942, as amended, or shall be established under section 83.

Sec. 85. *Increase or decrease in space on or after April 1, 1948.* (a) Where

housing accommodations are changed on or after April 1, 1948, by a substantial increase or decrease in dwelling space, the maximum rent for the housing accommodations resulting from such change shall be the first rent charged after such change. The landlord shall, within 30 days after renting said accommodations, file a proper registration statement in the area rent office in accordance with the provisions of sections 211 to 214. The Director may order a decrease in the maximum rent as provided in sections 157 and 162.

(b) If the Director finds that the landlord or any successor landlord knew of his obligation to register and negligently failed or deliberately refused to do so, the rent received for any rental period commencing on or after the date of first renting shall be received subject to refund to the tenant of any amount in excess of the maximum rent which may later be fixed by an order under section 157 or 162: *Provided, however,* That the order under section 157 or 162 may relieve the landlord or any successor landlord of the duty to refund the excess rent for any rental period during which the landlord or any successor landlord neither negligently failed nor deliberately refused to register. The landlord or any successor landlord shall have the duty to refund only if the order under section 157 or 162 is issued in a proceeding commenced by the Director within 3 months after the date of the filing of such registration statement. If a refund is required by the order under sections 157 or 162 such amount shall be refunded to the tenant within 30 days after the date of the issuance of the order unless the refund is stayed in accordance with the provisions of Rent Procedural Regulation 2.

HOUSING ACCOMMODATIONS OF A CLASS OR IN A DEFENSE-RENTAL AREA NOT UNDER CONTROL ON SEPTEMBER 19, 1951

SEC. 91. *Rented on maximum rent date.* For housing accommodations rented on the maximum rent date, the maximum rent shall be the rent for such accommodations on that date, except as hereinafter provided in this section.

SEC. 92. *Under Federal rent control on maximum rent date.* For housing accommodations which were under Federal rent control on the maximum rent date and thereafter decontrolled, the maximum rent shall be the maximum rent in effect on the date such accommodations were decontrolled.

SEC. 93. *First rent after maximum rent date.* For housing accommodations not rented on the maximum rent date which are rented after the maximum rent date, the maximum rent shall be the first rent for such accommodations after the maximum rent date. The landlord shall within 30 days after renting said accommodations or within 45 days after the effective date of regulation, whichever date is later, file a proper registration statement in the area rent office in accordance with the provisions of sections 211 to 214. The Director may order a decrease in the maximum rent as provided in sections 157 and 162.

SEC. 94. *Change after maximum rent date but before effective date.* For housing accommodations (except those for which a maximum rent is established under section 92) substantially changed after the maximum rent date but before effective date of regulation by a major capital improvement as distinguished from ordinary repair, replacement and maintenance, or for housing accommodations changed between those dates by a substantial increase or decrease in services, furniture, or equipment, the maximum rent shall be the first rent charged for such housing accommodation after such change. The landlord shall within 45 days after the effective date of the regulation file a proper registration statement in the area office in accordance with the provisions of sections 211 to 214. The Director may order a decrease in the maximum rent as provided in sections 157 and 162.

SEC. 95. *Increase or decrease in space after maximum rent date.* Where housing accommodations are changed after the maximum rent date by a substantial increase or decrease in dwelling space, the maximum rent for the housing accommodations resulting from such change shall be the first rent charged after such change. The landlord shall within 30 days after renting said accommodations or within 45 days after the effective date of regulation, whichever date is later, file a proper registration statement in the area rent office in accordance with the provisions of sections 211 to 214. The Director may order a decrease in the maximum rent as provided in sections 157 and 162.

SEC. 96. *Rents received subject to refund.* If the Director finds in cases where the maximum rent is established under sections 93, 94, or 95 that the landlord or any successor landlord knew of his obligation to register and negligently failed or deliberately refused to do so, the rent received for any rental period commencing on or after the date of first renting or the effective date, whichever is later, shall be received subject to refund to the tenant of any amount in excess of the maximum rent which may later be fixed by an order under sections 157 or 162: *Provided, however,* That the order under sections 157 or 162 may relieve the landlord or any successor landlord of the duty to refund the excess rent for any rental period during which the landlord or any successor landlord neither negligently failed nor deliberately refused to register. The landlord or any successor landlord shall have the duty to refund only if the order under sections 157 or 162 is issued in a proceeding commenced by the Director within 3 months after the date of filing of such registration statement. If a refund is required by the order under sections 157 or 162, such amount shall be refunded to the tenant within 30 days after the date of the issuance of the order unless the refund is stayed in accordance with the provisions of Rent Procedural Regulation 2.

SEC. 97. *Housing subject to rent schedule of Army, Navy, or Air Force.* Where housing accommodations on the effective date of this regulation are rented to either Army, Navy, or Air Force personnel, including civilian employees of the Army, Navy, or Air Force Department for which the rent is fixed by the national rent schedule of the Army, Navy, or Air Force Department, and on or after the effective date of regulation the rents on such housing accommodations cease to be governed by the national rent schedule of the Army, Navy, or Air Force Department, the maximum rents shall be established under section 93.

SEC. 98. *Housing owned and constructed by the Government.* For housing accommodations constructed by the United States or any agency thereof, or by a State of the United States or any of its political subdivisions, or any agency of the State or any of its political subdivisions, and owned by any of the foregoing, the maximum rent, notwithstanding any other provision of sections 91 to 98, shall be the rent generally prevailing in the defense-rental area for comparable housing accommodations on the maximum rent date, as determined by the owner of such accommodations: *Provided, however,* That any corporation formed under the laws of a State shall not be considered an agency of the United States within the meaning of this section. The Director may order a decrease in the maximum rent as provided in sections 157 to 163.

SEC. 99. *Housing subject to a mortgage insured by the Federal Housing Commissioner.* For housing accommodations which are subject to a mortgage insured, or for which a commitment to insure has been issued, by the Federal Housing Commissioner pursuant to the National Housing Act, as amended, and for which the maximum rent is approved by the Commissioner, the maximum rent shall be the maximum rent approved by the Commissioner on effective date of regulation or on the date of first renting such accommodations, whichever is later. The landlord shall within forty-five (45) days after effective date of regulation or within thirty (30) days after first renting said accommodations, whichever is later, file a proper registration statement in the area rent office in accordance with the provisions of sections 211 to 214 together with evidence of approval of the maximum rent by the Commissioner: *Provided, however,* That where a maximum rent is established under this section and such approved rent is changed by the Federal Housing Commissioner on or before the date of final endorsement of the mortgage for insurance, the maximum rent shall be such changed rent. The landlord shall within fifteen days after such approval file a registration statement reflecting such change. If such change increases the maximum rent, the new maximum rent shall not be effective until the registration statement reflecting such change is filed in the area rent office.

5—ADJUSTMENTS AND OTHER DETERMINATIONS

GENERAL

SEC. 111. *General considerations.* (a) Sections 111 to 170 set forth specific

standards for the adjustment of maximum rents. In applying these standards and entering orders increasing or decreasing maximum rents, the Director shall give full consideration to the correction of inequities in maximum rents and the purposes and provisions of the Housing and Rent Act of 1947, as amended, as well as any previous changes in the maximum rent.

(b) In the circumstances enumerated in sections 111 to 170, the Director may issue an order changing the maximum rents otherwise allowable or the minimum space, services, furniture, furnishings or equipment required, except in cases where an order increasing or decreasing the maximum rent on the same facts and grounds was entered under the rent regulations issued pursuant to the Emergency Price Control Act of 1942, as amended.

(c) In making adjustments under sections 111 to 170, recommendations of local advisory boards shall be approved within 30 days if appropriately substantiated and in accordance with applicable law and regulations. If any recommendation cannot be acted upon within 30 days the board shall be notified in writing of the reasons therefor. Upon approval or disapproval of any board recommendation, the board shall promptly be notified of such approval or disapproval.

SEC. 112. *Landlord's certification as to services, etc.* Any landlord who files a petition for adjustment under sections 126 to 140 shall certify that he is maintaining all services, furniture, furnishings and equipment required by this regulation and that he will continue to maintain such services, furniture, furnishings and equipment so long as the adjustment in such maximum rent which may be granted continues in effect.

SEC. 113. *Effective date of rent increases.* In all cases under sections 126 to 140 the adjustment in the maximum rent shall be effective as of the date of the filing of the landlord's application or petition: *Provided, however,* That where a maximum rent for a housing accommodation is established under section 92 and a petition for adjustment is filed by the landlord under section 127 or 129 within 30 days of the effective date of this regulation the adjustment in the maximum rent shall be retroactive to the effective date of regulation.

STANDARDS

SEC. 116. *General.* In addition to the adjustment standards which are included in certain grounds for adjustment (sections 126 to 163), standards for adjustments are set forth in sections 116 to 121. In applying these standards, the Director shall, wherever appropriate, give due consideration to general increases in the defense-rental area since the maximum rent date for the defense-rental area in all costs of operating and maintaining the housing accommodations, in the cost of providing service, furniture, furnishings and equipment and in the cost of construction or making major capital improvements, except insofar as the landlord has been previously compensated for such cost increases.

SEC. 117. *Difference in rental value.* In those cases involving a major capital improvement, an increase or decrease in living space, services, furniture, furnishings or equipment, an increase or decrease in the number of subtenants or other occupants, or a deterioration, the adjustment in the maximum rent shall be the amount the Director finds would have been, on the maximum rent date, the difference in the rental value of the housing accommodations by reason of such change: *Provided, however,* That no adjustment shall be ordered where it appears that the rent on the date determining the maximum rent was fixed in contemplation of and so as to reflect such change: *And provided further,* That in cases involving an increase or decrease in living space or a change from unfurnished to fully furnished, the adjusted maximum rent shall be not less than the rent which the Director finds was generally prevailing in the defense-rental area for comparable housing accommodations on the maximum rent date.

SEC. 118. *Rent generally prevailing.* In cases under sections 130, 133, 157, 160, or 161, the adjustment shall be on the basis of the rent which the Director finds was generally prevailing in the defense-rental area for comparable housing accommodations on the maximum rent date: *Provided, however,* That in cases under sections 130 and 161, the adjustment may be on the basis of the rental agreement in force on the date determining the maximum rent.

SEC. 119. *Seasonal rent cases.* In cases under sections 131, 136, and 162, the adjustment shall be on the basis of the rents which the Director finds were generally prevailing in the defense-rental area for comparable housing accommodations during the year ending on the maximum rent date.

SEC. 120. *Rent increase approved by Government agency.* In cases under section 137, the adjustment shall be the amount of the rent increase granted by the appropriate agency of the United States.

SEC. 121. *Correction of error.* In cases under section 170, the adjustment shall be in the amount necessary to correct the error.

GROUNDS FOR INCREASE OF MAXIMUM RENT

SEC. 126. *Grounds for increase of maximum rent.* Any landlord of housing accommodations registered in accordance with the requirements of this regulation may file a petition or application for adjustment to increase the maximum rent otherwise allowable only on the grounds set forth in sections 127 to 140.

SEC. 127. *Major capital improvement after maximum rent date.* There has been, since the maximum rent date, a substantial change in the housing accommodations by a major capital improvement, as distinguished from ordinary repair, replacement and maintenance for which the landlord has not been compensated under the provisions of this regulation.

SEC. 128. *Change prior to maximum rent date.* There was, on or prior to the maximum rent date, a substantial change in the housing accommodations by a major capital improvement, as distinguished from ordinary repair, replacement, and maintenance or a substantial increase in the services, furniture, furnishings, or equipment, and the rent on the maximum rent date was fixed by a lease or other rental agreement which was in force at the time of such change or increase.

SEC. 129. *Substantial increase in space, services, furniture, furnishings or equipment.* There has been a substantial increase in the services, furniture, furnishings or equipment provided with the housing accommodations since the date or order determining its maximum rent, or a substantial increase in the living space since June 30, 1947 but before April 1, 1948. No adjustment under this section shall be ordered on the basis of any such change unless it occurred with the consent of the tenant or while the housing accommodations were vacant: *Provided, however,* That the tenants' consent shall not be required if the Director finds that such change (a) is reasonably required for the operation of a multiple dwelling structure or other structure of which the housing accommodations are a part, or (b) is necessary for the preservation or maintenance of the housing accommodations, or (c) is consistent with local property management practices and customs.

SEC. 130. *Varying rents.* The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a higher rent at other periods during the term of such lease or agreement.

SEC. 131. *Seasonal rents.* The rent on the date determining the maximum rent was substantially lower than at other times of year by reason of seasonal demand, or seasonal variations in the rent, for such housing accommodations. In such cases the Director's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

SEC. 132. *Substantial increase in occupancy.* (a) There has been, since the date determining the maximum rent a substantial increase in the number of subtenants or other persons occupying the accommodations or a part thereof under a rental agreement with the tenant.

(b) There has been, since the date determining the maximum rent a substantial increase in the number of occupants, in excess of normal occupancy for that class of accommodations on the maximum rent date.

(c) There has been, since the date determining the maximum rent an increase in the number of occupants over the number contemplated by the rental agreement on the date determining the maximum rent, where the landlord on that date had a regular and definite practice of fixing different rents for the accommodations for different numbers of occupants.

SEC. 133. *Priority rating granted on September 1941 application form of Office of Production Management.* (a) The maximum rent for the housing accommodations was originally established under section 4 (f) of the Rent Regulation for Housing, issued pursuant to the Emergency Price Control Act of 1942, as amended, the application for priority rating for the construction of the housing accommodations was filed on the September 1941 form in use by the Office of Production Management prior to the revision of this form on December 15, 1941, the landlord did not make, prior to the maximum rent date, or, if the accommodations were not rented on that date, prior to the first renting of the accommodations after that date, a written request to the appropriate agency of the United States to approve a higher rent than the rent initially approved because of increased costs of construction, and the maximum rent for the accommodation is substantially lower than the rent generally prevailing in the defense-rental area for comparable accommodations on the maximum rent date, giving due consideration to general increases in cost of construction, if any, in the defense-rental area since the maximum rent date.

(b) This section shall apply only to housing accommodations which were first rented prior to March 29, 1944.

SEC. 134. *Inequitable rents.* The landlord is suffering an inequity in that (a) the maximum rent for the housing accommodations (other than company housing accommodations, i. e., housing accommodations regularly rented to employees of the landlord) is substantially lower than the rent generally prevailing in the defense-rental area for comparable housing accommodations on the maximum rent date for the defense-rental area, or (b) the landlord has not been compensated for a substantial increase in the costs of operating and maintaining the housing accommodations since the maximum rent date for the defense-rental area. The adjustment under this section shall be in an amount sufficient to relieve the inequity.

SEC. 135. *Company housing accommodations.* (a) The housing accommodations are company housing accommodations, and at a time subsequent to the date determining the maximum rent the landlord and tenant agreed, as a result of a continuous process of bargaining on interrelated matters, upon a wage increase and a rent increase, and the wage increase agreed upon has been put into effect.

(b) The adjustment under this section shall be on the basis of the rent so agreed upon by the landlord and tenant, but the adjusted maximum rent may not exceed the amount which the Director finds was generally prevailing in the defense-rental area for comparable non-company housing accommodations on the maximum rent date.

(c) For purposes of this section, the term "company housing accommodations" means housing accommodations which are regularly rented to employees of the landlord.

SEC. 136. *Changes from year round to seasonal renting.* The accommodations are located in a resort community, are primarily adapted to occupancy on a seasonal basis, are vacant and the establishment of seasonal variations in the rent would not, in the opinion of the area rent director, be inconsistent with the purposes of the act.

SEC. 137. *Approval of higher rents for priority constructed housing.* The maximum rent was established under section 4 (f) of the Rent Regulation for Housing issued pursuant to the Emergency Price Control Act of 1942, as amended, and prior to final completion of all units included in a single priority application, but subsequent to the first renting of said accommodations, the landlord made a written request to the appropriate agency of the United States to approve a higher rent than the rent initially approved because of increased costs of construction, and a higher rent was approved by such agency.

SEC. 138. *Housing accommodations not yielding fair net operating income*—(a) *Grounds.* (1) The net operating income from the building is less than a fair net operating income. (The net operating income shall not be considered less than fair if it is 25 percent or more of the annual income in the case of a building containing less than five dwelling units, or is 20 percent or more in the case of a building containing five or more dwelling units.)

(2) A petition for adjustment under this section must be filed on Form D–106, provided by the Director, in accordance with the instructions contained therein.

(3) No adjustment shall be granted under this section with respect to housing accommodations regularly rented to employees of the landlord (so-called company housing) or with respect to housing accommodations in hotels as defined in section 51.

(b) *Amount of adjustment.* The adjustment under this section shall be in such amount as is necessary to bring the net operating income from the building (expressed as a percentage of annual income after adjustment) to the median net operating income of landlords generally (this median is 30 percent of annual income in the case of buildings containing less than five dwelling units, and 25 percent in the case of buildings containing five or more dwelling units): *Provided, however,* That where the Director determines that the building falls within a class which normally experienced considerably lower percentages of net operating income than the median, he may determine the amount of adjustment on a basis which will yield a lower percentage of net operating income which would be fair and equitable for that class of buildings.

(c) *Successive petitions.* Where an adjustment is granted under this section and a subsequent petition is filed thereunder the test year used in any such subsequent petition shall begin after the end of the test year used in the last previous petition: *Provided, however,* That the Director may waive this limitation where the building has been affected by a significant increase in operating expenses which applied to all or an important class of housing accommodations in the community (such as a significant increase in property taxes or a significant increase in contract wages).

(d) *Definitions.* For purposes of this section, the term:

(1) "Building" means any structure or group of structures containing housing accommodations, having common facilities and operated as a single business enterprise.

(2) "Net operating income" means the amount by which annual income exceeds annual operating expenses.

(3) "Annual income" means the legal monthly, weekly or other periodic rent for all units in the building (both residential and commercial) on the date the petition is filed, computed on an annual basis, together with any other income earned from the operation of the building during the test year: *Provided, however,* That any adjustments in maximum rents ordered after the date the petition is filed shall be taken into account: *And provided further,* That where a unit has seasonal, alternate or other varying rents, appropriate adjustment shall be made by the Director. In any case where an uncontrolled rental unit is vacant, or is occupied in whole or in part rent free, the full rental value shall be considered the legal rent.

(4) "Annual operating expenses" means all real estate taxes and other unavoidable operating costs necessary to the operation and maintenance of the building, plus depreciation but excluding mortgage interest and amortization, properly allocated to the test year or projected on an annual basis in accordance with principles determined by the Director.

(5) "Depreciation" means the amount shown for the building in the latest required Federal income tax return, but in no event more than 21 percent of the annual income for a building containing less than 5 dwelling units or 16 percent of the annual income for a building containing 5 or more dwelling units.

(6) "Test year" means the most recent full calendar or fiscal year, or any 12 consecutive months ending not earlier than 90 days before the date the petition is filed.

(e) *Pending petitions under former § 825.5 (a) (12), (16), or (17).* (1) If a petition for adjustment under § 825.5 (a) (12), (16), or (17), as it read immediately prior to May 3, 1949, was filed on or after April 1, 1949, and no order on such petition had been entered by the Area Rent Director prior to May 3, 1949, no adjustment may be granted under said paragraph, but if the petitioner files such additional data as may be required for purposes of an adjustment under this section the case shall be processed under this section and any adjustment granted thereunder shall be effective as of the date of filing of the petition for adjustment under said § 825.5 (a) (12), (16), or (17).

NOTE: For the text of former § 825.5 (a) (12), (16), and (17) as it read immediately prior to May 3, 1949, see 13 F. R. 5711, Oct. 2, 1948; Amdt. 59, 14 F. R. 17, Jan. 4, 1949; Amdt. 60, 14 F. R. 93, Jan. 7, 1949;

Amdt. 61, 14 F. R. 143, Jan. 12, 1949; and Amdt. 74, 14 F. R. 1394, Mar. 29, 1949.

(2) If a petition for adjustment under former § 825.5 (a) (12), (16), or (17) as it read immediately prior to May 3, 1949, was filed prior to April 1, 1949, and no order on such petition had been entered by the Area Rent Director prior to May 3, 1949, the case may be processed under said paragraph as it read immediately prior to May 3, 1949, and any adjustment granted thereunder shall be effective as of the date of filing of such petition for adjustment: *Provided, however,* That if the petition contains virtually all the facts required for purposes of an adjustment under this section and such an adjustment would result in higher maximum rents than an adjustment under the paragraph under which the petition was originally filed, the case shall be processed under this section and any adjustment granted thereunder shall be effective as of April 1, 1949.

(f) *Housing accommodations in building owned by cooperative corporation or association.* (1) In the case of housing accommodations located in a building which is owned by a cooperative corporation or association, the annual income and annual operating expenses to be used for purposes of this section shall be those for all the dwelling units in such building which are rented or offered for rent by a landlord (either the cooperative corporation or association or a person holding stock or other evidence of interest in such corporation or association), and the test year shall be the latest complete fiscal year of such corporation or association.

(2) The annual income for the dwelling units involved shall include (i) the maximum rents for those units, computed on an annual basis, and (ii) a proportionate share of all other income, other than rental income from dwelling units, earned from the operation of the building during the test year.

(3) The annual operating expenses for the dwelling units involved shall include (i) a proportionate share of the annual operating expenses incurred by the cooperative corporation or association with respect to the building: *Provided, however,* That the amount of depreciation may not exceed 16 percent of the annual income for the dwelling units involved where they are located in a building containing five or more dwelling units and not more than 21 percent of such annual income in the case of a building containing less than five dwelling units, and (ii) all additional annual operating expenses incurred by the landlord which apply exclusively to the dwelling units involved (excluding, however, payments made to the cooperative corporation or association by a holder of stock or other evidence of interest therein, in his capacity as such).

(4) The term "proportionate share," as used in this paragraph, means a share based on the proportion which the number of shares of stock or other evidence of interest allocated to the dwelling units involved bears to the total number of shares of stock or other evidence of interest allocated to all the dwelling units in the building.

(5) Except insofar as they are inconsistent with the foregoing provisions of this paragraph, all the other provisions of this section shall apply to cases covered by this paragraph.

SEC. 139. *Ineffective statutory lease.* (a) The landlord and tenant entered into a written lease for the housing accommodations which they in good faith intended to be a statutory lease as described in section 204 (b) (2) or 204 (b) (3) of the Housing and Rent Act of 1947, as amended, as it read prior to April 1, 1949, and the rent regulations issued thereunder, and the lease was ineffective to increase the maximum rent because of failure to meet all the requirements of said act and regulations: *Provided, however,* That the deficiency was of a minor or procedural nature or has been cured by actual performance, and that the maximum rent had not been increased by a subsequent statutory lease.

(b) In cases under this section, the adjustment shall be in the amount necessary to increase the maximum rent to the amount set forth in such lease but not above the maximum amount authorized by the act and the regulations at the time of execution of the lease: *Provided, however,* That in making such adjustment the Director shall take into consideration all adjustments made since the execution of said lease.

SEC. 140. *Adjustment for increases in costs and prices.* (a) The housing accommodations had a maximum rent in effect on July 31, 1951, or on the maximum rent date and on June 30, 1947, and the present maximum rent does not equal 120 percent of the following: (i) The maximum rent in effect on June 30, 1947; (ii) plus any increases in the maximum rent allowed or allowable under this regulation for major capital improvements or for increases in living space, services, furniture, furnishings, or equipment; and (iii) minus any decreases in the maximum rent which are or may be required under this regulation because of decreases in living space, services, furniture, furnishings, or equipment or because of substantial deterioration or failure to perform ordinary repair, replacement, or maintenance.

(b) The housing accommodations had a maximum rent in effect on July 31, 1951, or on the maximum rent date but none on June 30, 1947, and the present maximum rent does not equal 120 percent of the following: (1) The maximum rent for comparable housing accommodations on June 30, 1947; (2) plus any increases in the maximum rent allowed or allowable under this regulation for major capital improvements or for increases in living space, services, furniture, furnishings, or equipment and (3) minus any decreases in the maximum rent which are or may be required under this regulation because of decreases in living space, services, furniture, furnishings, or equipment or because of substantial deterioration or failure to perform ordinary repair, replacement or maintenance.

(c) *Amount of adjustment.* The adjustment under this section shall be in an amount sufficient to cause the maximum rent to equal 120 percent of the amount specified in paragraph (a) or (b) of this section, whichever is applicable: *Provided, however,* That the Director shall give appropriate consideration to orders issued under section 157 or 162 decreasing maximum rents which were in effect on June 30, 1947: *And provided further,* That no adjustment under this section shall be effected unless the application filed by the landlord for the adjustment is sworn to.

(d) Where an adjustment under this section is based on a maximum rent in effect on June 30, 1947, and on increases or decreases, if any, in the maximum rent actually allowed under this regulation, such adjustment shall be effective automatically upon the filing of the sworn application. In all other cases under this section, such adjustment shall not be effective until an order is entered by the Director.

DECREASES IN MINIMUM SERVICES, FURNITURE, FURNISHINGS, EQUIPMENT, AND SPACE

SEC. 146. *Requirements for petition and order, or report.* The landlord shall, until the accommodations become vacant, maintain the minimum services, furniture, furnishings, and equipment as required under section 76, unless and until he has filed a petition to decrease the services, furniture, furnishings, or equipment and an order permitting a decrease has been entered thereon. When the accommodations become vacant, the landlord may on renting to a new tenant decrease the services, furniture, furnishings, or equipment below the minimum; within 10 days after so renting the landlord shall file a written report with the Area Rent Director showing such decrease.

SEC. 147. *Adjustment in maximum rent for decreases on or after April 1, 1948.* The order on any petition under section 146 may require an appropriate adjustment in the maximum rent; and any maximum rent for which a report is required by section 146 may be decreased in accordance with the provisions of section 159.

SEC. 148. *Refund to tenant.* If the landlord fails to file the report required by section 146 within the time specified, or decreases the services, furniture, furnishings, or equipment without an order authorizing such decrease where such order is required, the rent received by the landlord for any rental period commencing on or after such decrease or April 1, 1948, whichever is the later, shall be received subject to refund to the tenant of any amount in excess of the maximum rent which may later be fixed by an order decreasing the maximum rent on account of such decrease in services, furniture, furnishings, or equipment. Such amount shall be refunded to the tenant within 30 days after the date of issuance of the order unless the refund is stayed in accordance with the provisions of Rent Procedural Regulation 2. If the Director finds that the landlord was not at fault in failing to comply with section 146, the order may relieve the landlord of the duty to refund.

SEC. 149. *Adjustment in maximum rent for decreases prior to April 1, 1948.* Where a landlord decreased living space, services, furniture, furnishings, or equipment before April 1, 1948, while the accommodations were occupied, or decreased the living space, services, furniture, furnishings, or equipment during such period while the accommodations were vacant, and failed or fails to file a petition or a written report as was required by the provisions of former § 825.5 (b) prior to April 1, 1948 (24 CFR, 1947 Supp.), the rent received by the landlord for any rental period commencing on or after such decrease or July 1, 1947, whichever is later shall be received subject to refund to the tenant of any amount in excess of the maximum rent which may later be fixed by an order decreasing the maximum rent on account of such decrease in living space, services, furniture, furnishings, or equipment. Such amount shall be refunded to the tenant within 30 days after the date of issuance of the order, unless the refund is stayed in accordance with the provisions of Rent Procedural Regulation 2. If the Director finds that the landlord was not at fault in failing to comply with the provisions of former § 825.5 (b) in effect prior to April 1, 1948, the order may relieve the landlord of the duty to refund.

GROUNDS FOR DECREASE OF MAXIMUM RENT

SEC. 156. *Grounds for decrease of maximum rent.* The Director at any time, on his own initiative or on application by the tenant, may order a decrease of the maximum rent otherwise allowable only on the grounds set forth in sections 157 to 163.

SEC. 157. *Rent higher than rents generally prevailing.* (a) The maximum rent for the housing accommodations was established under paragraph (c), (d), (e), (g), or (j) of section 4 of the Rent Regulation for Housing, issued pursuant to the Emergency Price Control Act of 1942, as amended, or under sections 83 or 85, or 91, 93, 94, 95, or 98, and said maximum rent is substantially higher than the rent generally prevailing in the defense-rental area for comparable housing accommodations on the maximum rent date, taking into consideration all relevant factors including any adjustments under sections 126 to 140 which may be applicable.

(b) Where the maximum rent for said housing accommodations was originally established under paragraph (c), (d), (e), or (j) of section 4 of the Rent Regulation for Housing, issued pursuant to the Emergency Price Control Act of 1942, as amended, and the Director finds that the landlord or any successor landlord knew of his obligation to register and negligently failed or deliberately refused to do so, the rent received for any rental period commencing on or after July 1, 1947, shall be received subject to refund to the tenant of any amount in excess of the maximum rent which may later be fixed by an order under this section: *Provided, however,* That the order under this section may relieve the landlord or any successor landlord of the duty to refund the excess rent for any rental period during which the landlord or any successor landlord neither negligently failed nor deliberately refused to register. The landlord or any successor landlord shall have the duty to refund only if the order under this section is issued in a proceeding commenced by the Director within 3 months after the date of the filing of such registration statement. If a refund is required by the order under sections 111 to 170 such amount shall be refunded to the tenant within 30 days after the date of the issuance of the order unless the refund is stayed in accordance with the provisions of Rent Procedural Regulation 2.

SEC. 158. *Substantial deterioration.* There has been a substantial deterioration of the housing accommodations other than ordinary wear and tear since the date or order determining its maximum rent.

SEC. 159. *Decreases in space, services, furniture, furnishings or equipment.* There has been a decrease in the minimum services, furniture, furnishings, or equipment required by section 76 since the date or order determining the maximum rent or a substantial decrease in the living space since June 30, 1947, but before April 1, 1948.

SEC. 160. *Special relationship between landlord and tenant or peculiar circumstances.* The rent on the date determining the maximum rent was materially affected by the blood, personal, or other special relationship between the landlord and tenant, or by peculiar circumstances and as a result was substantially higher than the rent generally prevailing in the defense-rental area for comparable housing accommodations on the maximum rent date.

SEC. 161. *Varying rents.* The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a lower rent at other periods during the term of such lease or agreement.

SEC. 162. *Seasonal rent.* The rent on the date determining the maximum rent was substantially higher than at other times of year by reason of seasonal demand or seasonal variations in the rent, for such housing accommodations. In such cases the Director's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

SEC. 163. *Substantial decrease in occupancy.* There has been a substantial decrease in the number of subtenants or other occupants since an order under section 132 or section 5 (a) (8) of the Rent Regulation for Housing issued pursuant to the Emergency Price Control Act of 1942, as amended.

MISCELLANEOUS PROCEEDINGS

SEC. 166. *Orders where facts are in dispute, in doubt, or not known.* If the maximum rent, or any other fact necessary to the determination of the maximum rent, or the living space, services, furniture, furnishings, or equipment required to be provided with the accommodations, is in dispute between the landlord and the tenant, or is in doubt, or is not known, the Director at any time on his own initiative, may enter an order fixing the maximum rent by determining such fact, or determining the living space, services, furniture, furnishings and equipment required to be provided with the accommodations which order shall be effective to establish the maximum rent from the effective date of regulation or date of first renting, whichever is later, but in no event earlier than July 1, 1947. If the Director is unable to ascertain such fact, or facts, he shall enter the order on the basis of the rent which he finds was generally prevailing in the defense-rental area for comparable housing accommodations on the maximum rent date and, where appropriate, may determine the living space, services, furniture, furnishings and equipment included in such rent.

SEC. 167. *Sale of underlying lease or other rental agreement.* Where housing accommodations or a predominant part thereof are occupied by one or more subtenants or other persons occupying under a rental agreement with the tenant, the tenant may petition the Director for leave to exercise any right he would have except for this regulation to sell his underlying lease or other rental agreement. The Director may grant such petition if he finds that the sale will not result, and that sales of such character would not be likely to result in the circumvention or evasion of the act or this regulation. He may require that the sale be made on such terms as he deems necessary to prevent such circumvention or evasion.

SEC. 168. *Interim orders.* Where a petition is filed by a landlord on one of the grounds set out in sections 126 to 140 or a proceeding is initiated by the Director under section 166, the Director may enter an interim order increasing or fixing the maximum rent until further order subject to refund by the landlord to the tenant of any amount received in excess of the maximum rent established by final order in such proceeding. The receipt by the landlord of any rent authorized by such interim order shall constitute an agreement by the landlord with the tenant to refund to the tenant any amount received in excess of the maximum rent established by final order. The landlord shall make such refund either by repayment in cash or where the tenant remains in occupancy after the effective date of the final order, by deduction from the next installment of rent, or both.

SEC. 169. *Adjustments in case of options to buy.* No adjustment in the maximum rent shall be ordered on the ground that the landlord has, as a part of or in connection with a lease of housing accommodations, granted the tenant an option to buy the accommodations which are the subject of the lease. Where a lease of housing accommodations was in force on the date determining the maximum rent, and the landlord had on that date, as a part of or in connection with such lease, granted the ten-

ant an option to buy the accommodations which are the subject of the lease, the Director may, on or after the termination of such lease, on his own initiative or on application of the tenant, enter an order fixing the maximum rent on the basis of the rent which the Director finds was generally prevailing in the defense-rental area for comparable housing accommodations not subject to an option to buy on the maximum rent date.

SEC. 170. *Adjustment to correct determinations of maximum rent.* The Director at any time on petition of the landlord or on his own initiative may enter an order adjusting the maximum rent where the maximum rent in effect on June 30, 1947, was established by an order issued under the rent regulations issued pursuant to the Emergency Price Control Act of 1942, as amended, and such order was based upon an erroneous determination of fact or law.

6—REMOVAL OF TENANT

GROUNDS

SEC. 181. *Restrictions on removal of tenant.* So long as the tenant continues to pay the rent to which the landlord is entitled, no tenant shall be removed from any housing accommodations by action to evict or to recover possession, by exclusion from possession, or otherwise, nor shall any person attempt such removal or exclusion from possession, notwithstanding that such tenant has no lease or that his lease or other rental agreement has expired, or otherwise terminated, and regardless of any contract, lease, agreement or obligation heretofore or hereafter entered into which provides for surrender of possession or for entry of judgment upon the tenant's confession for breach of the covenants thereof, or which otherwise provides contrary to sections 181 to 206, unless the housing accommodations are registered as required by this regulation and except on one or more of the grounds specified in sections 182 to 186 or unless a certificate has been issued as provided in sections 191 to 196.

SEC. 182. *Violating substantial obligation of tenancy.* The tenant is violating a substantial obligation of his tenancy, other than an obligation to pay rent or an obligation to surrender possession of the housing accommodations, and has continued or failed to cure such violation after a written notice by the landlord that the violation cease.

SEC. 183. *Nuisance or illegal or immoral use.* Under the local law, the tenant (a) is committing or permitting a nuisance in the housing accommodations and such nuisance continues after written notice to the tenant that the same shall cease or (b) is using or permitting a use of such housing accommodations for an immoral or illegal purpose.

SEC. 184. *Tenant's refusal of access to landlord.* The tenant has unreasonably refused the landlord access to the housing accommodations for the purpose of inspection or of showing the accommodations to a prospective purchaser, mortgagee, or other person having a legitimate interest therein: *Provided, however,* That such refusal shall not be ground for removal if such inspection or showing of the accommodations is contrary to the provisions of the tenant's lease or other rental agreement.

SEC. 185. *Accommodations entirely sublet.* The tenant's lease or other rental agreement has expired or otherwise terminated, and at the time of termination the occupants of the housing accommodations are subtenants or other persons who occupied under a rental agreement with the tenant, and no part of the accommodations is used by the tenant as his dwelling.

SEC. 186. *Landlord is a State or political subdivision thereof.* The housing accommodations have been acquired by a State or political subdivision thereof and such State or political subdivision seeks to recover possession for the immediate purpose of making a public improvement.

EVICTION CERTIFICATE

SEC. 191. *Eviction certificate; evictions not inconsistent with regulation.* No tenant shall be removed or evicted on grounds other than those stated in sections 181 to 186 of this section or other than for nonpayment of rent unless on petition of the landlord the Director certifies that an eviction of the character proposed is not inconsistent with the purposes of the act or this regulation and would not be likely to result in the circumvention or evasion thereof. Where the housing accommodations are registered as required by this regulation, the Director shall so certify for the purposes set forth in sections 192 to 196.

SEC. 192. *Occupancy by landlord or by landlord's parent or child.* (a) Where the landlord seeks in good faith to recover immediate possession of housing accommodations for personal use and occupancy as a dwelling or for the use and occupancy as a dwelling for the landlord's parent or child: *Provided,* That the petition states the facts or reasons moving the landlord to seek possession for such use or occupancy: *And provided, however,* That:

(1) Where the landlord acquired his rights in the housing accommodations on or after April 1, 1949, or on or after the effective date of control under this regulation, whichever date is later, and at the time the petition is filed the landlord has title or an enforceable right to purchase and the right of immediate possession to the housing accommodations, a certificate for the purpose stated in this section shall be issued for the eviction of a person who was a tenant of the housing accommodations at the time such landlord acquired his rights therein, only where the Director finds that the payment, or payments, of principal made by such landlord aggregate ten percent or more of the purchase price of the housing accommodations. Any payment of principal made from funds borrowed for the purpose of making such payments shall be excluded in determining whether ten percent of the purchase price has been paid. Where property other than the housing accommodations which are the subject of the purchase is mortgaged or pledged to the seller to secure any unpaid balance of the purchase price, the payment required shall be deemed satisfied if the value of such security, plus any payment of principal made from funds not borrowed for the purpose of making such principal payments, equal ten percent or more of the purchase price. Payment, or payments, of principal may be made conditionally or in escrow to the end that they shall be returned to the landlord-purchaser in the event the Director denies a petition for a certificate: *And provided further, however,* That the principal payment requirement of this section shall not apply where the landlord is a veteran of World War II, who obtained a loan for use in purchasing such housing accommodations which was guaranteed in whole or in part by the Administrator of Veterans' Affairs;

(2) Where the housing accommodations are located in a structure or premises which contain more than four housing accommodations and the housing accommodations or premises are owned by two or more persons not constituting a cooperative corporation or association (husband and wife or parent and child as owners being considered one owner for this purpose) no certificate shall be issued under this section for occupancy of more than one housing accommodation, and then only if none of co-owners are already in occupancy of any housing accommodation in such structure or premises;

(3) In the case of housing accommodations in a structure or premises owned by a cooperative corporation or association, no certificate shall be issued, for eviction of a person who was a tenant of the housing accommodations at the time of purchase, to a purchaser of stock or other evidence of interest in the cooperative, who is entitled by reason of such ownership of stock or other interest to possession of such housing accommodations by virtue of a proprietary lease, or otherwise, unless such cooperative corporation or association was organized prior to August 1, 1951, or prior to the effective date of this regulation, where the effective date of this regulation is later than August 1, 1951, and unless the stock or other evidence of interests in the cooperative has been purchased by persons who are tenants in occupancy of at least 65 percent of the housing accommodations in the structure or premises and are entitled to proprietary leases of housing accommodations in the structure or premises.

(b) For the purposes of this section, the word "parent" includes a father and father-in-law, mother and mother-in-law; and the word "child" includes a son and son-in-law, daughter and daughter-in-law, stepchild and adopted child.

SEC. 193. *Alterations or remodeling.* Where a landlord seeks in good faith to recover possession for the immediate purpose of substantially altering or remodeling the housing accommodations and such alterations or remodeling (a)

is for the purpose of creating additional housing accommodations of the type recognized as self-contained family dwelling units in the neighborhood in which they are located or (b) is to substantially improve such accommodations for continued use as housing accommodations or is reasonably necessary to protect and conserve the housing accommodations: *Provided*, That the landlord has obtained such approval for the proposed alterations or remodeling as may be required by Federal, State, and local law: *And provided further*, That such alterations or remodeling cannot practically be done with the tenant in occupancy.

SEC. 194. *Withdrawal from rental market.* Where the landlord establishes that he seeks in good faith to recover possession of the housing accommodations for the immediate purpose of permanently withdrawing them from both the housing and non-housing rental markets without any intent to sell the housing accommodations.

SEC. 195. *Landlord is tax-exempt organization.* Where the landlord establishes that it is an organization exempt from taxation under section 101 (6) of the Internal Revenue Code, and that it seeks in good faith to recover possession of the housing accommodations for the immediate and personal use and occupancy as housing accommodations by members of its staff.

SEC. 196. *Eviction not inconsistent with act or regulation.* Where the Director in any case finds and certifies that a removal or eviction of the character proposed is not inconsistent with the purposes of the act or this regulation and would not be likely to result in the circumvention or evasion thereof.

SEC. 197. *Eviction certificates; waiting period; valid use of certificate.* Certificates issued under sections 191 to 196, at the expiration of three months from the date of the filing of the petition, shall authorize an action to be brought for removal or eviction of the tenant instituted in accordance with requirements of local law: *Provided, however*, That:

(a) In cases under section 194 the waiting period shall be six months;

(b) In any case where the Director finds that by reason of exceptional circumstances extreme hardship would result he may waive all or part of the waiting period;

(c) No provision of sections 191 to 206 shall be construed to prohibit a landlord who has obtained a certificate under sections 191 to 196 from serving, prior to the expiration of the waiting period specified in said certificate, such notice or notices as may be required by the local law, provided that such notice or notices do not demand surrender of possession until after expiration of said waiting period;

(d) In the event that the landlord's intention or circumstances so change that the premises, possession of which is sought, will not be used for the purpose specified in the certificate, the certificate shall not be effective to authorize eviction or removal of the tenant through court action or otherwise.

NOTICE

SEC. 201. *Notice required.* (a) No tenant shall be removed or evicted from housing accommodations by court process or otherwise and no action or proceeding shall be commenced for such purpose upon any of the grounds permitted in sections 181 to 186, including an action based upon non-payment of rent, unless and until the landlord shall have given written notice to the area rent office and to the tenant as provided in this section.

(b) Every such notice to a tenant to vacate or surrender possession of housing accommodations shall state that the housing accommodations are registered as required by this regulation, and shall state the ground under sections 181 to 186 upon which the landlord relies for removal or eviction of the tenant, the facts necessary to establish the existence of such ground, and the date when the tenant is required to surrender possession. Where the basis relied upon for removal or eviction of a tenant is non-payment of rent the notice shall also include a statement of the maximum rent, the amount of the rent due and the rental period or periods for which such rent is due. A written copy of every notice required by this section shall be filed with the area rent office within 24 hours after such notice is given to the tenant.

(c) Every such notice shall give to the tenant a period not less than the following periods prior to the date specified therein for the surrender of possession and to the commencement of any action for removal or eviction: In cases arising under section 182 or 183, a period not less than 10 days; under section 184, a period not less than one month; under section 185 or 186, a period not less than 2 months; and in cases where the basis relied upon in such notice for removal or eviction is non-payment of rent, a period not less than three days.

(d) If judgment for possession is sought by virtue of a confession of judgment or by virtue of a warrant of attorney authorizing confession of such judgment against the tenant, the date of commencement of the action as referred to in sections 181 to 186 shall be deemed to be the date of the filing in court of the first papers in the proceedings for the entry of such judgment.

(e) At the time of commencing any action to remove or evict a tenant, on any ground permitted in sections 181 to 186, including an action based upon non-payment of rent, the landlord shall give written notice thereof to the area rent office, stating the title of the case, the number of the case where that is possible, the name and address of the tenant, and the ground or basis relied upon under sections 181 to 186 on which removal or eviction is sought.

EXCEPTIONS

SEC. 206. *Exceptions.* The provisions of sections 181 to 201 do not apply to:

(a) *Subtenants.* A subtenant or other person who occupies or occupied under a rental agreement with the tenant, where removal or eviction of the subtenant or other such occupant is sought by the landlord of the tenant, unless the rental agreement between the landlord and tenant contemplated the subletting by the tenant of the entire accommodations or substantially all of the individual units therein, or unless under the local law there is a tenancy relationship between the landlord and the subtenant or other such occupant.

(b) *Public housing.* Notwithstanding any other provisions of sections 181 to 201 the United States or any State or local public agency may maintain an action or proceeding to recover possession of any housing accommodations operated by it where such action or proceeding is authorized by the statute or regulation under which such accommodations are administered.

7—REGISTRATION

SEC. 211. *Registration statement.* (a) Every landlord of controlled housing accommodations rented or offered for rent shall file in triplicate a written statement on the form provided therefor, to be known as a registration statement, unless a registration statement was heretofore filed in accordance with the provisions of former § 825.7 as it read on September 19, 1951: *Provided, however*, That a landlord must re-register any housing accommodation which is recontrolled after September 19, 1951, unless it had a maximum rent in effect under Federal rent control on the new maximum rent date. If the housing accommodation was controlled for the first time or recontrolled after September 19, 1951, the registration statement shall be filed within 45 days after the effective date of regulation or within 30 days after the first renting thereof, whichever date is later. If the housing accommodation was controlled on September 19, 1951 and not registered, the landlord has a continuing obligation to register in accordance with former § 825.7 as it existed prior to September 19, 1951. The statement shall identify each dwelling unit and specify the maximum rent provided by this regulation for such dwelling unit and shall contain such other information as the Director shall require. The original shall remain on file with the Director and he shall cause one copy to be delivered to the tenant and one copy to be stamped to indicate that it is a correct copy of the original, to be returned to the landlord. In any subsequent change of tenancy the landlord shall exhibit to the new tenant his stamped copy of the registration statement and shall obtain the tenant's signature and the date thereof on the back of such statement.

NOTE: For provisions of former § 825.7 as it read on September 19, 1951, see 14 F. R. 5720, Sept. 17, 1949.

(b) When the maximum rent is changed by order of the Director, the landlord shall deliver his stamped copy of the registration statement to the area

rent office for appropriate action reflecting such change.

(c) Where, since the filing of the registration statement for any controlled housing accommodations, there has been a change in the identity of the landlord, by transfer of title or otherwise, the new landlord shall file a notice of such change on a form provided for that purpose, to be known as a notice of change in identity within 15 days after the change or July 1, 1947, whichever is later. If the new landlord indicates on the notice of change in identity that he has not obtained the landlord's copy of the original registration statement, the Director shall cause to be prepared and delivered to him a true copy of said original, which may be used to satisfy all requirements of this section.

(d) Any notice, order or other process or paper directed to the person named on the registration statement as the landlord at the address given thereon, or where a notice of change in identity has been filed, to the person named as landlord and at the address given in the most recent such notice, shall, under the circumstances prescribed in Rent Procedural Regulation 2 constitute notice to the person who is then the landlord.

(e) The provisions of this section shall be applicable to any housing accommodation whose maximum rent was determined under section 4 (g) of the Rent Regulation for Housing, issued pursuant to the Emergency Price Control Act of 1942, as amended, or under section 98, on its sale by the owning agency, and within 30 days after the sale of such accommodations the new landlord shall file a registration statement as provided in this section: *Provided, however,* That if the housing accommodations are sold to the United States or a State of the United States or any of its political subdivisions, or any agency of the foregoing, section 213 shall continue to be applicable.

SEC. 212. *Receipt for amount paid.* No payment of rent need be made unless the landlord tenders a receipt for the amount to be paid.

SEC. 213. *Exceptions from registration requirements; housing owned and constructed by governmental agencies.* The provisions of sections 211 to 214 shall not apply to housing accommodations whose maximum rent was originally determined under section 4 (g) of the Rent Regulation for Housing, issued pursuant to the Emergency Price Control Act of 1942, as amended, or under section 98. The owner of such housing accommodations shall file a schedule or schedules, setting out the maximum rents for all such accommodations in the defense-rental area and containing such other information as the Director shall require. A copy of such schedule or schedules shall be posted by the owner in a place where it will be available for inspection by the tenants of such accommodations.

SEC. 214. *Housing in Puerto Rico Defense Rental Area.* The provisions of this section shall be substituted for the provisions of section 211 for housing accommodations in the Puerto Rico defense-rental area.

(a) *Registration requirements.* Every landlord of housing accommodations rented or offered for rent shall file in the area rent office a form provided by the area rent office for this purpose, unless a form was heretofore filed in accordance with the provisions of section 7 (d) of the Rent Regulation for Housing, issued pursuant to the Emergency Price Control Act of 1942, as amended. For housing accommodations rented prior to June 1, 1947, such form shall be filed on or before July 10, 1947. For housing accommodations first rented on or after June 1, 1947, such form shall be filed on or before July 30, 1947, or within 30 days after first renting, whichever is later. The form shall identify each dwelling unit and shall specify the maximum rent provided by this regulation for such dwelling unit and shall contain such other information as the Director shall require.

(b) *Notice of maximum rent.* The landlord shall prepare the form known as "Notice of Maximum Rent", if the maximum rent for the dwelling unit was originally determined under paragraph (a) of section 4 of the Rent Regulation for Housing, issued pursuant to the Emergency Price Control Act of 1942, as amended. The landlord shall prepare the notice in duplicate and shall send one copy to the tenant and one copy to the area rent office.

(c) *Registration statement.* The landlord shall prepare the form known as "Registration Statement" if the maximum rent for the dwelling unit originally was, or is, determined otherwise than indicated in paragraph (b) of this section. The landlord shall prepare the registration statement in triplicate and shall send the three copies to the area rent office. The Director shall retain one copy on file and he shall cause one copy to be delivered to the tenant and one copy stamped to indicate that it is a correct copy of the original, to be returned to the landlord.

(d) *Change of landlord.* Where, since the filing of the notice of maximum rent or the registration statement for any controlled housing accommodations, there has been a change in the identity of the landlord, by transfer of title or otherwise, the new landlord shall file a notice of such change on a form provided for that purpose, to be known as a notice of change in identity, within fifteen days after the change or July 1, 1947, whichever is later. If the new landlord indicates on the notice of change in identity that he has not obtained the landlord's copy of the original registration statement, the Director shall cause to be prepared and delivered to him, a true copy of said original, which may be used to satisfy all the requirements of this section.

(e) *Notice to landlord.* Any notice, order or other process or paper directed to the person named on the registration statement or on the notice of maximum rent as the landlord at the address given thereon, or, where a notice of change in identity has been filed, to the person named as landlord and at the address given in the most recent such notice, shall, under the circumstances prescribed in Rent Procedural Regulation 2, constitute notice to the person who is then the landlord.

8—EVASION

SEC. 221. *General.* The maximum rents and other requirements provided in this regulation shall not be evaded, either directly or indirectly, in connection with the renting or leasing or the transfer of a lease of housing accommodations, by way of absolute or conditional sale, sale with purchase money or other form of mortgage, or sale with option to repurchase or by modification of the practices relating to payment of commissions or other charges or by modification of the services furnished with housing accommodations, or by tying agreement, or otherwise.

SEC. 222. *Purchase of property as condition of renting.* Specifically, but without limitation on the foregoing, no person shall require a tenant or prospective tenant to purchase or agree to purchase furniture or any other property as a condition of renting housing accommodations unless the prior written consent of the Director is obtained.

ENFORCEMENT

SEC. 226. *Civil action.* Persons violating any provision of this regulation are subject to civil enforcement actions and suits for treble damages as provided by the act.

SEC. 227. *Inspection.* Any person who rents or offers for rent, or acts as a broker or agent for the rental of, any controlled housing accommodations or housing accommodations which the Director has reason to believe may be controlled housing accommodations shall, as the Director may from time to time require, furnish information under oath or affirmation or otherwise, permit inspection and copying of records and other documents and permit inspection of any such housing accommodations. Any person who rents or offers for rent, or acts as a broker or agent for the rental of, any controlled housing accommodations shall as the Director may from time to time require, make and keep records and other documents and make reports.

10—PROCEDURE

SEC. 231. *Procedure.* All registration statements, reports and notices provided for by this regulation shall be filed with the area rent office. All landlord's petitions and tenant's applications shall be filed with such office in accordance with Rent Procedural Regulation 2.

11—ADOPTION OF ORDERS

SEC. 236. *Adoption of orders.* All orders issued pursuant to section 2 (c), 2 (d) (3) and 2 (d) (7) of the Rent Regulation for Housing, issued pursuant to the Emergency Price Control Act of 1942, as amended, which were in effect on June 30, 1947, shall be deemed to continue in effect under this regulation unless and until revoked or modified by the Director.

SCHEDULE A—DEFENSE-RENTAL AREAS

NOTE: In the column designated as "Class" the letters A, B and C appearing therein indicate the housing accommodations under control (except as modified by Schedule B) as follows:

A—All housing accommodations (including those, if any, which prior to effective date indicated in this Schedule A were decontrolled under a provision of Schedule B), except those exempt under sections 36 to 43 of the regulation.

B—All housing accommodations except those exempt or decontrolled under sections 36 to 58 of the regulation.

C—Housing accommodations which prior to effective date indicated in this Schedule A were decontrolled under: (a) Sections 55, 56 and 58, and (b) those, if any, under a provision of Schedule B.

State and name of defense-rental area	Class	County or counties in defense-rental areas under regulation	Maximum rent date	Effective date of regulation
Alabama				
(3) Dothan-Ozark	A	Coffee, Dale, and Houston	Sept. 1, 1950	Nov. 7, 1951
(9) Huntsville	A	Madison	Jan. 1, 1951	Oct. 1, 1951
Arizona				
(16) Tucson	A	In Pima County, Districts 1 and 2	Sept. 1, 1951	Dec. 17, 1951
Arkansas				
(19b) Camden	A	Calhoun and Ouachita	Sept. 1, 1950	Nov. 30, 1951
(20) El Dorado	B	In Union County, El Dorado Township	Mar. 1, 1942	Sept. 1, 1942
(23) Benton	A	Saline	July 1, 1951	Nov. 30, 1951
(25) Pine Bluff	B	In Jefferson County, the City of Pine Bluff and Vaugine Township.	Mar. 1, 1942	Aug. 1, 1942
California				
(31) Marysville-Chico	B	Sutter County; and Yuba County, except the Cities of Marysville and Wheatland, and the portion of Yuba County described as follows: All north and east of a line beginning at a point on the line between Nevada County and Yuba County where said line is intersected by the south line of Township seventeen (17) North Range six (6) East MDB&M and running thence west along said Township line to the southwest corner of said Township; then north along the west line of Township seventeen (17) and eighteen (18) North, Range six (6) East to the point where said line intersects the line between Butte County and Yuba County.	do	Oct. 1, 1942
		In Butte County, that portion bounded on the east and north by a line beginning at a point in the boundary line between Yuba and Butte Counties, California, between T. 18 N., R. 5 E. and T. 18 N., R. 6 E., thence north in Butte County along the east lines of T. 18 N., R. 5 E., T. 19 N., R. 5 E. and T. 20 N., R. 5 E. to NE. corner of T. 20 N., R. 5 E.; thence west along north line of T. 20 N., R. 5 E. and T. 20 N., R. 4 E. to the Feather River; bounded on the west irregularly by the Feather River; and bounded on the south by Yuba County.	do	Dec. 1, 1942
(33) Modesto-Merced	B	Merced County, and Stanislaus County, except the Cities of Modesto, Oakdale, and Turlock.	do	Do.
(33a) Monterey Bay	B	Monterey County, except the Cities of Carmel-by-the-Sea and Salinas.	do	Nov. 1, 1943
(34) Richmond-Vallejo	B	Contra Costa County, except the Cities of Brentwood, El Cerrito, Martinez and Walnut Creek; and Solano County.	Jan. 1, 1941	Aug. 1, 1942
	C	Solano County	Sept. 1, 1950	Oct. 23, 1951
(35a) Sacramento	B	San Joaquin County, except the Cities of Lodi, Manteca, Ripon, Stockton, and Tracy, and all unincorporated localities.	Mar. 1, 1942	July 1, 1942
(36) Barstow	A	In San Bernardino County, the Township of Barstow.	May 1, 1951	Nov. 15, 1951
(37) San Diego	A	In San Diego County, that portion lying west of the San Bernardino Meridian.	Jan. 1, 1951	Oct. 1, 1951
(38) San Francisco Bay	B	San Francisco County; and Sonoma County, except (i) the Cities of Healdsburg, Petaluma, Santa Rosa and Sebastopol, (ii) the Judicial Townships of Redwood and Sonoma (including the City of Sonoma) and (iii) that portion of Analy Judicial Township lying west of the Monte Rio-Valley Ford Highway and lying between Redwood Judicial Township on the north and the northern line of Marin County on the south.	Mar. 1, 1942	July 1, 1942

SCHEDULE A—DEFENSE-RENTAL AREAS—Continued

State and name of defense-rental area	Class	County or counties in defense-rental areas under regulation	Maximum rent date	Effective date of regulation
California—Continued				
(39) San Luis Obispo	B	San Luis Obispo	Jan. 1, 1941	July 1, 1942
	C	do	Aug. 1, 1950	Sept. 27, 1951
(40) Santa Maria	B	In Santa Barbara, Judicial Townships Numbers 4, 5, 8, and 9.	July 1, 1941	Dec. 1, 1942
	C	do	Aug. 1, 1950	Sept. 27, 1951
Colorado				
(41a) Boulder	B	In Boulder County, the City of Boulder	June 1, 1943	Oct. 1, 1944
(42) Colorado Springs	A	El Paso	Jan. 1, 1951	Dec. 10, 1951
(42a) Craig	B	In Moffat County, Section 31, Township 7, Range 90; Section 36, Township 7, Range 91; Section 1, Township 6, Range 91; and Section 6, Township 6, Range 90, all West of the Sixth Principal Meridian.	Oct. 1, 1944	Jan. 1, 1946
(43) Denver	B	Adams County, except that portion of the City of Aurora located therein; Arapahoe County, except that portion of the City of Aurora located therein, the City of Englewood, and the Town of Littleton; Denver County; and Jefferson County, except the City of Golden, and the Town of Morrison.	Mar. 1, 1942	Aug. 1, 1942
(44a) Grand Junction	B	In Mesa County, Township 1, North, Range 1, East; Township 1, South, Range 1, East; Township 1, North, Range 2, West; Township 1, North, Range 2, East of the Ute Meridian.	July 1, 1943	Aug. 1, 1944
(46) Pueblo	B	In Pueblo County, Townships 20 and 21, South, Ranges 64 and 65, West of 6th Principal Meridian.	Mar. 1, 1942	Nov. 1, 1942
Connecticut				
(47) Bridgeport	B	In the County of Fairfield, the Towns of Bridgeport, Easton, Fairfield, Shelton, Stratford, Trumbull and Westport.	Apr. 1, 1941	June 1, 1942
	B	County of Fairfield other than the Towns of Bridgeport, Easton, Fairfield, Shelton, Stratford, Trumbull and Westport.	do	July 1, 1942
(48) Hartford-New Britain.	B	In Hartford County, the Towns of Berlin, Bloomfield, Bristol, East Hartford, East Windsor, Farmington, Glastonbury, Hartford, Manchester, New Britain, Newington, Plainville, Rocky Hill, Southington, South Windsor, West Hartford, Wethersfield, Windsor and Windsor Locks; in the County of Middlesex, the Towns of Cromwell, Middlefield, Middletown, and Portland; in the County of New Haven, the Towns of Meriden and Wallingford; and in the County of Tolland, the Town of Vernon.	do	June 1, 1942
	B	Hartford County, except the Towns of Berlin, Bloomfield, Bristol, East Hartford, East Windsor, Farmington, Glastonbury, Hartford, Manchester, New Britain, Newington, Plainville, Rocky Hill, Southington, South Windsor, West Hartford, Wethersfield, Windsor and Windsor Locks; the County of Middlesex, except the Towns of Cromwell, Middlefield, Middletown, and Portland; and the County of Tolland, except the Town of Vernon.	do	July 1, 1942
	C	In Hartford County, the Towns of Avon, Bloomfield, Canton, East Granby, East Hartford, Farmington, Glastonbury, Granby, Hartford, Manchester, Newington, Rocky Hill, Simsbury, South Windsor, West Hartford, Wethersfield and Windsor; and in Tolland County, the Town of Bolton.	July 1, 1951	Nov. 7, 1951
(49) New Haven	B	In the County of New Haven the Towns of Ansonia, Branford, Derby, East Haven, Guilford, Hamden, Madison, Milford, New Haven, North Branford, North Haven, Orange, Seymour, West Haven, and Woodbridge.	Apr. 1, 1941	July 1, 1942
(50) New London	B	New London and Windham	do	Do.
(51) Waterbury	B	In the County of Litchfield the Towns of Plymouth, Thomaston, and Watertown; and in the County of New Haven, the Towns of Beacon Falls, Cheshire, Middlebury, Naugatuck, Prospect, Waterbury, and Wolcott.	do	June 1, 1942
	B	County of Litchfield other than the Towns of Plymouth, Thomaston, and Watertown; and in the County of New Haven the Towns of Bethany, Oxford, and Southbury.	do	July 1, 1942

SCHEDULE A—DEFENSE-RENTAL AREAS—Continued

State and name of defense-rental area	Class	County or counties in defense-rental areas under regulation	Maximum rent date	Effective date of regulation
Delaware				
(52) Dover	A	Kent County; and in Sussex County, that portion of the City of Milford located therein.	Aug. 1, 1950	Nov. 1, 1951
(53) Delaware	B	New Castle County, except the Town of St. Georges and that portion of New Castle County south of the Chesapeake and Delaware Canal.	Mar. 1, 1942	Nov. 1, 1942
Florida				
(55) Cocoa-Melbourne	A	Brevard	Dec. 1, 1950	Nov. 30, 1951
(58) Key West	B	Monroe	Oct. 1, 1941	Oct. 1, 1942
(62) Panama City	B	Bay County, except (1) the portion bounded on the north by the line beginning at the western boundary of Bay County at the Northwest corner of Section 31, Township 2 South, Range 17 West, and running thence East along section lines to the water's edge of West Bay, bounded on the east and northeast by West Bay and Saint Andrews Bay, bounded on the south by the Gulf of Mexico, and bounded on the west by Walton County, and (2) the portion described as follows: Beginning at the East boundary line of said Bay County at the Southeast corner of Section 25, Township 6 South, Range 12 West and running thence north along the East boundary line of Bay County to the Northeast Corner of Section 24, thence West along North Section lines of Sections 24, 23 and 22, to the Gulf of Mexico waters' edge, and thence in a Southeasterly direction meandering along the waters' edge of said Gulf of Mexico to the point of beginning.	Mar. 1, 1942	Sept. 1, 1942
	B	Gulf County, except the portion described as follows: Beginning at the shore line of St. Joseph's Bay and South Section line of Section 22, Township 7 South, Range 11 West, in Gulf County, Florida, and thence East along said Section line of Section 22 to the Southeast Corner of Section 22, thence Northwest to the Southwest Corner of Section 15, involving the Southwest half of Section 22, thence North along the West Section line of Sections 15 and 10 to the Southeast Corner of Section 4, thence Northwest to the Southeast Corner of Section 32, involving the Southeast half of Section 4, thence Northwest to the Southeast Corner of Section 30, Township 6 South, Range 11 West, thence Northwest to the Northwest Corner of Section 30 and Bay County line, then South along Bay County line to waters' edge of the Gulf of Mexico, thence in a Southeasterly direction meandering along the waters' edge of said Gulf of Mexico and St. Joseph's Bay to the point of beginning.	do	Dec. 1, 1942
(63) Pensacola	B	Escambia County, except the City of Pensacola	do	Sept. 1, 1942
	B	Okaloosa	do	Oct. 1, 1942
	B	Santa Rosa	do	May 1, 1943
(64b) Starke	B	Clay	Jan. 1, 1941	Aug. 1, 1942
Georgia				
(67a) Americus	B	Sumter	Mar. 1, 1942	Nov. 1, 1943
(68) Albany, Ga.	B	Dougherty	do	Nov. 1, 1942
(69) Athens	B	Clarke	do	Dec. 1, 1942
(70) Atlanta	B	De Kalb County, except the Cities of Decatur, Doraville and Pine Lake; Clayton County, except the City of Forest Park and that portion of the City of College Park located therein; Fulton County, except the Cities of Fairburn, East Point and Hapeville, that portion of the City of College Park located therein, the Town of Union City and that portion of the Town of Palmetto located therein.	do	Aug. 1, 1942
(70a) Marietta	A	Cobb	Sept. 1, 1951	Dec. 10, 1951
(71) Augusta	A	Richmond	July 1, 1950	Sept. 20, 1951
(72) Bainbridge-Cairo, Ga.	B	Decatur	Mar. 1, 1942	Oct. 1, 1942
(75) Hinesville	A	Liberty and Long	Aug. 1, 1950	Dec. 4, 1951
(76) Macon	B	Bibb and Houston	Apr. 1, 1941	July 1, 1942
(77a) Rome	B	Floyd	Mar. 1, 1944	May 1, 1945
(80) Valdosta	A	Lowndes	Apr. 1, 1951	Sept. 27, 1951

SCHEDULE A—DEFENSE-RENTAL AREAS—Continued

State and name of defense-rental area	Class	County or counties in defense-rental areas under regulation	Maximum rent date	Effective date of regulation
Idaho				
(80a) Mountain Home	A	In Elmore County, Mountain Home Precincts 1 and 2.	May 1, 1951	Dec. 12, 1951
(80c) Arco-Blackfoot-Idaho Falls	A	Butte County; Bingham County, except the Precincts of Sterling, Aberdeen 1, and Aberdeen 2; and Bonneville County, except the Precincts of Poplar, Antelope, Ozone, Palisade, Grays, Blowout and Jackknife.	July 1, 1950	Sept. 20, 1951
Illinois				
(82b) Bloomington	B	In McLean County, the Townships of City of Bloomington, Bloomington and Normal.	Jan. 1, 1945	Jan. 1, 1946
(83) Chicago	B	Cook County, except the Cities of Berwyn, Blue Island, Calumet City, Chicago Heights, Des Plaines, Harvey, Park Ridge, and that portion of the City of Elgin located therein, and the Villages of Arlington Heights, Bartlett, Brookfield, Burnham, Dolton, Flossmoor, Franklin Park, Glencoe, Glenview, Homewood, Kenilworth, La Grange, La Grange Park, Lansing, Lyons, Markham, Matteson, Mt. Prospect, Northfield, Oak Forest, Orland Park, Palatine, Phoenix, Riverdale, River Forest, Riverside, South Holland, Tinley Park, Westchester, Western Springs, Wheeling, Wilmette, Winnetka, and those portions of the Villages of Barrington, Hinsdale and Steger located therein; Du Page County, except the Cities of West Chicago and Wheaton, and the Villages of Bensenville, Glen Ellyn, Itasca, Roselle and Villa Park, and that portion of the Village of Hinsdale located therein; Kane County, except that portion of the City of Elgin located therein, the Cities of Batavia, Geneva and St. Charles, and the Villages of East Dundee, South Elgin and West Dundee; and Lake County, except the City of Lake Forest, the Villages of Deerfield, and Grayslake and that portion of the Village of Barrington located therein.	Mar. 1, 1942	July 1, 1942
(83b) Crab Orchard	B	In Jackson County, the City of Carbondale; and in Williamson County, the Cities of Herrin and Marion.	do	Nov. 1, 1946
(85) Dixon	B	Lee	do	Sept. 1, 1942
(85a) Freeport	B	Stephenson	Mar. 1, 1944	June 1, 1945
(86) Joliet	B	Will County, except the Village of Crete, and that portion of the Village of Steger located therein.	Apr. 1, 1941	July 1, 1942
	C	do	July 1, 1951	Dec. 10, 1951
	A	In Cook County, that part of the Village of Steger located therein; and in Will County, the Village of Crete and that portion of the Village of Steger located therein.	do	Do.
(87) Kankakee	B	Kankakee County, except the Village of Bonfield	Mar. 1, 1942	May 1, 1943
(88) La Salle County	B	La Salle	do	Do.
(88a) Macomb-Canton	B	In McDonough County, the City of Macomb and the Townships of Macomb, Chalmers, Emmett and Scotland.	do	Nov. 1, 1943
(88b) Peoria	B	Peoria and Tazewell	Mar. 1, 1944	Feb. 1, 1945
(89) Quad Cities	B	Rock Island County, except the Cities of Moline and Rock Island, and all unincorporated localities; Scott County, Iowa, except the Cities of Bettendorf and Davenport, the Towns of Buffalo, Le Claire, Long Grove, Princeton and Wolcott, and all unincorporated localities.	Mar. 1, 1942	Sept. 1, 1942
	C	do	Oct. 1, 1950	Sept. 20, 1951
	A	In Rock Island County, Ill., the Cities of Moline and Rock Island and all unincorporated localities; in Scott County, Iowa, the Cities of Bettendorf and Davenport, the Towns of Buffalo, Le Claire, Long Grove, Princeton and Wolcott, and all unincorporated localities.	do	Do.
(90) Quincy	B	In Adams County, the City of Quincy and the Townships of Ellington, Melrose, and Riverside.	Mar. 1, 1942	Nov. 1, 1942
(91) Champaign-Vermilion.	B	Champaign County, except the Cities of Champaign and Urbana, and Vermilion County.	do	Sept. 1, 1942
(91a) Galesburg	B	In Knox County, Galesburg Township and the Cities of Galesburg and Knoxville.	July 1, 1943	May 1, 1944
(91b) Paxton	B	In Ford County, Patton Township	Jan. 1, 1946	Nov. 1, 1946

SCHEDULE A—DEFENSE-RENTAL AREAS—Continued

State and name of defense-rental area	Class	County or counties in defense-rental areas under regulation	Maximum rent date	Effective date of regulation
Illinois—Continued				
(92) Rockford	B	Boone County, except the Village of Capron and all unincorporated localities; and Winnebago County, except the Cities of Loves Park, Rockford and South Beloit, the Villages of Cherry Valley, Pecatonica and Rockton, and all unincorporated localities.	Mar. 1, 1942	July 1, 1942
	B	De Kalb County, except all unincorporated localities	do	Sept. 1, 1943
(93) Savanna-Clinton	B	In Carroll County, the City of Savanna	do	Sept. 1, 1942
(94) Springfield-Decatur	B	Macon County; Sangamon County; and in Logan County, the City of Lincoln.	do	Aug. 1, 1942
(94a) Woodstock	B	McHenry	Oct. 1, 1943	Nov. 1, 1944
Indiana				
(97) Columbus, Ind	B	Bartholomew	Mar. 1, 1942	Sept. 1, 1942
	B	Jackson	do	Dec. 1, 1942
	C	Bartholomew and Jackson	Aug. 1, 1950	Oct. 15, 1951
	A	Brown County; in Decatur County, the Townships of Clay, Washington, Jackson, Marion and Sand Creek; Johnson County; and Shelby County.	do	Do.
(97a) Mount Vernon, Ind.	B	In Posey County, the City of Mount Vernon	Oct. 1, 1943	Mar. 1, 1945
(98a) Valparaiso	B	Porter	July 1, 1943	Do.
(100) Evansville-Henderson.	B	Vanderburgh County	Mar. 1, 1942	Sept. 1, 1942
	B	Henderson and Union Counties, Ky	do	Do.
	C	do	Aug. 1, 1950	Nov. 7, 1951
(102) Gary-Hammond	B	Lake County, except the Cities of Crown Point, East Chicago, Hammond and Hobart, and the Townships of Cedar Creek, Eagle Creek, Hanover, West Creek and Winfield.	Mar. 1, 1942	Oct. 1, 1942
(103) Indianapolis	B	Marion County, except the Towns of Speedway and Woodruff Place.	July 1, 1941	July 1, 1942
	B	Hancock	Apr. 1, 1951	June 1, 1951
	C	Hancock County; and Marion County, except the Towns of Speedway and Woodruff Place.	do	Nov. 5, 1951
	A	Hamilton County; and in Marion County, the Towns of Speedway and Woodruff Place.	do	Do.
(104) La Fayette	B	Tippecanoe County, except the City of West Lafayette.	Mar. 1, 1942	Nov. 1, 1942
(104a) Logansport	B	In Cass County, Eel Township	July 1, 1945	Sept. 1, 1946
(105) La Porte-Michigan City.	B	La Porte County, except the Town of Long Beach	Apr. 1, 1941	July 1, 1942
(106) Anderson	B	Delaware County, except the Towns of Albany, Eaton, Gaston, Selma and Yorktown; in Howard County, Center Township; and in Madison County, Lafayette Township and Anderson Township except the Town of Edgewood.	Mar. 1, 1942	Dec. 1, 1942
(108) South Bend	B	St. Joseph and Elkhart	Apr. 1, 1941	June 1, 1942
(109) Terre Haute	B	Vigo	Mar. 1, 1942	Nov. 1, 1942
Iowa				
(110a) Dubuque	B	In Dubuque County, Iowa, the City of Dubuque	May 1, 1945	Apr. 1, 1946
	B	In Jo Daviess County, Illinois, the City of East Dubuque.	do	Do.
(110b) Ames-Marshalltown.	B	In Story County, the Town of Maxwell	July 1, 1945	Sept. 1, 1946
(111a) Iowa City	B	In Johnson County, the City of Iowa City, and the Townships of East Lucas and West Lucas.	Jan. 1, 1944	Dec. 1, 1944
(112) Burlington, Iowa	B	In the County of Des Moines, the City of Burlington and the Townships of Burlington, Concordia, Flint River and Danville.	Jan. 1, 1941	June 1, 1942
	B	In Lee County, the City of Keokuk	do	July 1, 1942
(113) Cedar Rapids	B	In Linn County, the Cities of Cedar Rapids and Marion.	Mar. 1, 1942	Dec. 1, 1942
(113b) Fort Dodge	B	In Webster County, the City of Fort Dodge	July 1, 1945	Sept. 1, 1946
(114) Des Moines	B	Polk	Mar. 1, 1942	Sept. 1, 1942
(114b) Sioux City	B	In Woodbury County, the City of Sioux City and the Townships of Sioux City and Woodbury, except the Town of Sergeant Bluff.	July 1, 1943	June 1, 1944
Kansas				
(116) Dodge City	B	Finney	Mar. 1, 1942	May 1, 1943
(120a) Pratt	B	Pratt	Mar. 1, 1943	June 1, 1944
(122) Topeka	A	Shawnee	Feb. 1, 1951	Nov. 7, 1951
(123) Wichita	A	Sedgwick	Mar. 1, 1951	Dec. 14, 1951

SCHEDULE A—DEFENSE-RENTAL AREAS—Continued

State and name of defense-rental area	Class	County or counties in defense-rental areas under regulation	Maximum rent date	Effective date of regulation
Kentucky				
(123d) Frankfort	B	Franklin	Jan. 1, 1946	Nov. 1, 1946
(124) Fort Knox	B	Hardin County; and that portion of Meade County known as Garnettsville Precinct, adjacent to Fort Knox.	Mar. 1, 1942	Nov. 1, 1942
	C	In Hardin County, Magisterial Districts 1, 4, 5 and 6, and that portion of Meade County known as Garnettsville Precinct, adjacent to Fort Knox.	Sept. 1, 1950	Nov. 26, 1951
	A	In Meade County, Magisterial Districts 1, 2, 3 and 4, except that portion known as Garnettsville Precinct, adjacent to Fort Knox, Ky.; and in Bullitt County Magisterial Districts 1 and 4.	do	Do.
(124a) Lexington	B	Fayette	Jan. 1, 1944	Dec. 1, 1944
(125) Louisville	B	Jefferson County	July 1, 1941	Aug. 1, 1942
	B	Clark and Floyd Counties, Ind	do	Do.
(125b) Madisonville	B	In Hopkins County, Magisterial Districts 3 and 7	Aug. 1, 1944	Jan. 1, 1946
(126a) Owensboro	B	In Daviess County, the City of Owensboro and Magisterial District No. 1.	Mar. 1, 1943	June 1, 1944
(127) Paducah	B	McCracken	Mar. 1, 1942	Nov. 1, 1942
	C	do	Jan. 1, 1951	Oct. 17, 1951
	A	Ballard	do	Do.
	A	Massac County, Ill.; and in Johnson County, Ill., the Township of Vienna, including the City of Vienna.	do	Do.
Louisiana				
(129) Alexandria-Leesville.	B	The Parishes of Beauregard and Vernon	Jan. 1, 1941	July 1, 1942
	C	In Beauregard Parish, Wards 2, 3, 4, 5, 7 and 8; and Vernon Parish.	Aug. 1, 1950	Nov. 7, 1951
(130c) Hammond	B	In Tangipahoa Parish, the City of Hammond and the remainder of Police Jury Ward 7.	Jan. 1, 1946	Nov. 1, 1946
(131) Lake Charles	B	Parish of Calcasieu	Mar. 1, 1942	Apr. 15, 1943
(132) Minden	B	In Webster Parish, the City of Minden	July 1, 1941	July 1, 1942
(134) New Orleans	B	Parishes of Jefferson, Orleans and St. Bernard	Mar. 1, 1942	Sept. 1, 1942
(134a) Shreveport	B	Parishes of Bossier and Caddo	July 1, 1943	Sept. 1, 1944
Maine				
(135) Bangor	B	Penobscot	Mar. 1, 1942	Dec. 1, 1942
(137) Portland	B	In Androscoggin County, the Cities of Auburn and Lewiston; and in Cumberland County, the Cities of Portland, South Portland and Westbrook, and the Town of Cape Elizabeth.	do	Aug. 1, 1942
	B	In York County, the Cities of Biddeford and Saco, the Town of Kittery, and the Town of Sanford including the communities of Sanford and Springvale.	do	Dec. 1, 1942
(138) Presque Isle	B	In Aroostook County, the Towns of Ashland, Caribou, Easton, Fort Fairfield, Limestone, Mapleton, Mars Hill, Van Buren, Washburn and Westfield, the Plantations of Caswell and Hamlin, and the City of Presque Isle.	do	Do.
	C	do	Jan. 1, 1951	Dec. 10, 1951
	A	In Aroostook County, the Town of Castle Hill	do	Do.
Maryland				
(139) Baltimore	B	City of Baltimore; Baltimore County; Harford County; in Cecil County, Election District 3, containing the City of Elkton; Howard County, except Election Districts 3, 4 and 5; and Anne Arundel County, except Election Districts 1, 7 and 8.	Apr. 1, 1941	July 1, 1942
	C	Harford County; and in Cecil County, Election District 3, containing the City of Elkton.	Jan. 1, 1951	Nov. 7, 1951
	A	Cecil County, except Election District 3, containing the City of Elkton.	do	Do.
(139a) Frederick	B	Frederick	July 1, 1943	June 1, 1944
(139b) Cumberland	B	In Allegany, the City of Cumberland	Mar. 1, 1944	Apr. 1, 1945
(140) Hagerstown	B	Washington County, except Election Districts 1, 8, 9, 11, 12, 14 and 20.	Mar. 1, 1942	Sept. 1, 1942
(141) Indian Head-Patuxent River.	B	Charles	do	Nov. 1, 1942
	B	In St. Marys County, Leonardtown District No. 3	do	Nov. 1, 1943
(142) Montgomery-Prince Georges.	B	Montgomery County; and Prince Georges County, except the Town of Colmar Manor, and the Election Districts 3, 4, 5, 7, 8, 11, and 15.	Jan. 1, 1941	July 1, 1942

SCHEDULE A—DEFENSE-RENTAL AREAS—Continued

State and name of defense-rental area	Class	County or counties in defense-rental areas under regulation	Maximum rent date	Effective date of regulation
Massachusetts				
(143) Eastern Massachusetts.	B	Barnstable County, except the Towns of Brewster, Eastham and Orleans; Bristol County; Middlesex County; Norfolk County; Suffolk County; and in Plymouth County the City of Brockton, and the Towns of Abington, Bridgewater, East Bridgewater, Hingham, Mattapoisett, Middleboro, Plymouth, Rockland, West Bridgewater, and Whitman.	Mar. 1, 1942	Nov. 1, 1942
(144) Essex County	B	Essex	do	Sept. 1, 1942
(144a) Greenfield	B	In Franklin County, the Town of Greenfield	Jan. 1, 1945	May 1, 1946
(145) Pittsfield	B	Berkshire	Mar. 1, 1942	Nov. 1, 1942
(146) Springfield, Mass.	B	Hampden and Hampshire	do	July 1, 1942
(147) Worcester	B	Worcester	do	Sept. 1, 1942
Michigan				
(149) Detroit	B	Oakland County, except (i) the Townships of Addison, Avon, Bloomfield, Brandon, Commerce, Farmington, Groveland, Highland, Holly, Independence, Milford, Novi, Oakland, Orion, Oxford, Pontiac, Rose, Springfield, Troy, Waterford and West Bloomfield, (ii) the Villages of Clarkston, Holly, Lake Orion, Leonard, Milford, Ortonville, Oxford, Rochester and that portion of Northville located in Oakland County, and (iii) the Cities of Berkley, Birmingham, Bloomfield Hills, Clawson, Farmington, Ferndale, Hazel Park, Pleasant Ridge, Pontiac, Royal Oak, South Lyon and Sylvan Lake; Wayne County, except (i) the Cities of Belleville, Grosse Pointe, Grosse Pointe Farms, Grosse Pointe Park, Grosse Pointe Woods, Lincoln Park, Melvindale and Plymouth, (ii) the Villages of Allen Park, Flat Rock, Grosse Pointe Shores, Inkster, Trenton and Wayne, (iii) that portion of the Village of Northville located in Wayne County, and (iv) the Townships of Brownstown, Canton, Grosse Ile, Nankin, Northville, Romulus, Sumpter, Taylor and Van Buren; and Macomb County, except the City of Mount Clemens, the Villages of Fraser and Roseville, and the Townships of Armada, Bruce, Harrison, Lenox, Macomb, Ray, Richmond, Shelby, Sterling and Washington.	Apr. 1, 1941	June 1, 1942
(150) Grand Rapids-Muskegon.	B	Muskegon County, except the Cities of Montague, Muskegon, Roosevelt Park and Whitehall, the Village of Ravenna, and the Townships of Laketon, Muskegon, and Ravenna.	Mar. 1, 1942	Oct. 1, 1942
(152) Kalamazoo-Battle Creek.	B	Calhoun County, except the City of Battle Creek and the Township of Battle Creek.	do	Do.
	B	In Kalamazoo County, the Townships of Charleston, Portage and Rose, and the Cities of Augusta, Galesburg and Parchment.	do	Dec. 1, 1942
(154a) Monroe	B	Monroe County, except the Village of Maybee, and and the Township of Raisinville.	do	Nov. 1, 1942
(155) Niles	B	Berrien	Apr. 1, 1941	July 1, 1942
(156) Port Huron	B	In St. Clair County, the Townships of Clay, Cottrellville and Ira, the Village of Algonac, and that portion of the City of New Baltimore which lies within St. Clair County.	Mar. 1, 1942	Dec. 1, 1942
(157) Saginaw-Bay City	B	In Midland County, the City of Midland; and in Bay County, the Cities of Bay City and Essexville, and the Townships of Bangor and Hampton.	do	July 1, 1942
Minnesota				
(158a) Brainerd	B	Crow Wing	Jan. 1, 1945	Feb. 1, 1946
(158b) Austin	B	In Mower County, the City of Austin	May 1, 1945	Aug. 1, 1946
(158c) Albert Lea-Faribault.	B	In Freeborn County, the City of Albert Lea, in Rice County, the City of Faribault, and in Steele County, the City of Owatonna.	Jan. 1, 1946	Nov. 1, 1946

SCHEDULE A—DEFENSE-RENTAL AREAS—Continued

State and name of defense-rental area	Class	County or counties in defense-rental areas under regulation	Maximum rent date	Effective date of regulation
Minnesota—Con.				
(159) Duluth-Superior	B	Carlton and St. Louis	Mar. 1, 1942	Nov. 1, 1942
(159a) Mankato	B	In Blue Earth and Nicollet Counties, the Cities of Mankato and North Mankato.	Mar. 1, 1945	Feb. 1, 1946
(159b) International Falls.	B	In Koochiching County, all of Township 71, Range 23, including Ranier, all of Township 70, Range 24, including South International Falls, all of Township 71, Range 24, including International Falls.	July 1, 1945	Mar. 1, 1946
(160) Minneapolis-St. Paul.	B	Anoka, Dakota and Hennepin Counties; Ramsey County, except the City of White Bear Lake; and Washington County, except the City of Stillwater.	Mar. 1, 1942	Nov. 1, 1942
(160a) Rochester	B	In Olmsted County, the City of Rochester	Mar. 1, 1944	Aug. 1, 1944
(160b) St. Cloud	B	In Benton County the portions of St. Cloud City and Sartell Village located therein, and Sauk Rapids Village; in Sherburne County the portion of St. Cloud City located therein; in Stearns County the portions of St. Cloud City and Sartell Village located therein and Waite Park Village.	Jan. 1, 1945	Jan. 1, 1946
Mississippi				
(162) Biloxi-Pascagoula.	B	In Harrison County, the City of Biloxi	Apr. 1, 1941	July 1, 1942
	C	do	Sept. 1, 1950	Dec. 14, 1951
	A	Harrison County, except the City of Biloxi; and Jackson County.	do	Do.
Missouri				
(168d) Cape Girardeau	B	In Cape Girardeau County, the City of Cape Girardeau.	Jan. 1, 1946	Nov. 1, 1946
(169a) Jefferson City	B	Cole	July 1, 1945	May 1, 1946
(170) Kansas City	B	Jackson County, in Clay County, the Townships of Gallatin and Liberty, and in Platte County, Pettis Township.	Mar. 1, 1942	Sept. 1, 1942
(172) Rolla-Waynesville	B	Laclede, Phelps and Pulaski	Apr. 1, 1941	July 1, 1942
	C	do	Aug. 1, 1950	Sept. 27, 1951
(173) Sedalia	B	Johnson and Pettis	Mar. 1, 1942	Dec. 1, 1942
(173a) Springfield	B	Greene	July 1, 1943	Aug. 1, 1944
(173b) St. Joseph	B	Buchanan	Jan. 1, 1944	Feb. 1, 1945
(174) St. Louis	B	In Missouri—the City of St. Louis, Jefferson County, St. Charles County, and St. Louis County, except the City of Glendale.	Mar. 1, 1942	July 1, 1942
	B	In Illinois—Madison County, and St. Clair County, except the Village of Freeburg.	do	Do.
Montana				
(175) Great Falls	B	Cascade	do	Nov. 1, 1942
(175c) Missoula	B	Missoula	July 1, 1945	Aug. 1, 1946
(175e) Havre	B	Hill	Jan. 1, 1946	Nov. 1, 1946
Nebraska				
(182) Sidney, Nebr.	A	Cheyenne	Aug. 1, 1950	Nov. 5, 1951
New Hampshire				
(185c) Coos County	B	Coos	Jan. 1, 1946	Nov. 1, 1946
(186) Manchester	B	In Hillsboro County, the Cities of Manchester and Nashua.	Mar. 1, 1942	Nov. 1, 1942
New Jersey				
(187a) Atlantic County	B	Atlantic	Sept. 1, 1943	June 1, 1944
(188a) Southern New Jersey.	B	Camden County, except the Boroughs of Audubon, Haddonfield, Haddon Heights and Merchantville, and the Township of Pennsauken, and Gloucester County.	do	July 1, 1942
	B	In Cape May County, the Borough of Woodbine; and in Cumberland County, the City of Millville, the Borough of Vineland and the Township of Landis.	do	Dec. 1, 1942

SCHEDULE A—DEFENSE-RENTAL AREAS—Continued

State and name of defense-rental area	Class	County or counties in defense-rental areas under regulation	Maximum rent date	Effective date of regulation
New Jersey—Continued				
(190) Northeastern New Jersey.	B	Bergen County, except the Boroughs of Allendale and Ramsey, and the Village of Ridgewood; Morris County, except the Township of Jefferson; and the Counties of Essex, Hudson, Middlesex, Monmouth, Passaic, Somerset, and Union.	Mar. 1, 1942	July 1, 1942
(190a) Mount Holly-Lakehurst.	B	Burlington County, except the Townships of Bass River, Tabernacle, Shamong, Woodland and Washington, and the Borough of Medford Lakes in Medford Township.	do	Do.
	B	In Ocean County, the Townships of Berkeley, Brick, Dover, Jackson, Lakewood, Manchester and Plumsted, and the Boroughs of Beachwood, Island Heights, Lakehurst, Ocean Gate, Pine Beach and South Toms River.	Feb. 1, 1944	Apr. 1, 1945
	C	Burlington County, except the Townships of Bass River, Tabernacle, Shamong, Woodland and Washington, and the Borough of Medford Lakes in Medford Township; and in Ocean County, the Townships of Berkeley, Brick, Dover, Jackson, Lakewood, Manchester and Plumsted, and the Boroughs of Beachwood, Island Heights, Lakehurst, Ocean Gate, Pine Beach and South Toms River.	Aug. 1, 1950	Nov. 7, 1951
	A	In Burlington County, the Borough of Medford Lakes in Medford Township.	do	Do.
(191) Trenton	B	Warren County, except the Borough of Washington, the Towns of Belvidere, and Hackettstown, and the Townships of Blairstown, Franklin, Greenwich, Hope, Independence, Mansfield, Oxford, Pahaquarry, Pohatcong, Hardwick, Frelinghausen and White.	Mar. 1, 1942	Sept. 1, 1942
	B	The Counties of Hunterdon and Mercer	do	Nov. 1, 1942
New Mexico				
(193) Albuquerque	B	Bernalillo	do	Dec. 1, 1942
(197) Roswell	B	Chaves	do	Oct. 1, 1942
	B	Otero	do	Dec. 1, 1942
	C	In Otero County, Precincts 1, 2, and 3	Oct. 1, 1950	Nov. 1, 1951
(197b) Santa Fe	B	Santa Fe	July 1, 1944	Oct. 1, 1945
	B	Precinct No. 28 (Espanola) in Rio Arriba County	do	Sept. 1, 1946
North Carolina				
(213) Durham	B	Durham	Mar. 1, 1942	Dec. 1, 1942
(214) Elizabeth City	B	Pasquotank	do	Oct 1, 1942
	B	Chowan	do	Aug. 1, 1943
(215) Fayetteville	B	Cumberland and Hoke	Apr. 1, 1941	July 1, 1942
(216) Goldsboro	B	In Lenoir County, the Cities of Kingston and La Grange; in Wayne County, the Township of Goldsboro, including the City of Goldsboro; and in Wilson County, the City of Wilson.	Mar. 1, 1942	Oct. 1, 1942
(218) Jacksonville, N.C.	B	Onslow	do	Nov. 1, 1942
	C	do	July 1, 1950	Oct. 15, 1951
(221) New Bern	B	Carteret and Craven	Mar. 1, 1942	Oct. 1, 1942
	C	do	July 1, 1950	Oct. 15, 1951
	A	Jones	do	Oct. 15, 1951
(221a) Rocky Mount	B	In Edgecombe County, the City of Tarboro and No. 12 Township; and in Nash County, the Townships of Rocky Mount and Stoney Creek.	Mar. 1, 1943	Feb. 1, 1944
(221c) Plymouth	B	In Washington County, the City of Plymouth	Jan. 1, 1944	Mar. 1, 1945
(221d) Raleigh	B	Wake County, except the Towns of Cary and Wendell.	Mar. 1, 1944	Mar. 1, 1945
(221e) Salisbury	B	Davidson County, except the Town of Denton, and Lexington Township; and in Rowan County, Salisbury Township, the Cities of Salisbury and Spencer, and the Town of East Spencer.	July 1, 1945	Nov. 1, 1946
(223) Wilmington	B	New Hanover County, except the portion consisting of Wrightsville Beach and Harbor Island, which are situated approximately one mile east of the U. S. Inland Waterway, Carolina Beach, Kure Beach, Wilmington Beach, and Ft. Fisher Beach, which are within the territory bounded on the North by the U. S. Inland Waterway, on the East by the Atlantic Ocean, on the West by the Cape Fear River, and on the South by old Ft. Fisher remains.	Apr. 1, 1941	June 1, 1942

SCHEDULE A—DEFENSE-RENTAL AREAS—Continued

State and name of defense-rental area	Class	County or counties in defense-rental areas under regulation	Maximum rent date	Effective date of regulation
North Dakota				
(223b) Minot	B	In Ward County, the Townships of Harrison and Nedrose.	June 1, 1944	Apr. 1, 1945
(223c) Fargo-Moorhead	B	In Cass County, the City of Fargo	July 1, 1944	June 1, 1945
	B	In Clay County, Minn., the City of Moorhead	do	Do.
(223d) Grand Forks	B	City of Grand Forks in Grand Forks County	Oct. 1, 1944	Jan. 1, 1946
	B	City of East Grand Forks in Polk County, Minn	do	Do.
(223e) Bismarck-Mandan	B	In Burleigh County, the City of Bismarck; and in Morton County, the City of Mandan.	Mar. 1, 1945	May 1, 1946
(223f) Jamestown	B	In the County of Stutsman, the City of Jamestown, North Dakota.	Jan. 1, 1946	Nov. 1, 1946
Ohio				
(224) Akron	B	Summit County, except the Villages of Hudson, Silver Lake, and Tallmadge, and except the City of Cuyahoga Falls.	Apr. 1, 1941	June 1, 1942
(225) Ashtabula	B	In Ashtabula County, the Townships of Conneaut and Kingsville.	Mar. 1, 1942	Nov. 1, 1942
(226) Canton	B	Stark County, except the City of Massillon and the Villages of Canal Fulton, Louisville and North Canton, and that portion of the Village of Minerva located in Stark County.	Apr. 1, 1941	June 1, 1942
	B	Tuscarawas County, except the Townships of Auburn, Bucks, Clay, Fairfield, Jefferson, Perry, Rush, Salem, Warren, Washington, Union and York.	do	July 1, 1942
(226b) Chillicothe	B	In Ross County, the City of Chillicothe	Jan. 1, 1946	Nov. 1, 1946
(227) Cincinnati	B	In Ohio—Butler and Clermont Counties, and Hamilton County, except the Villages of Golf Manor, Harrison, Indian Hill, Mount Healthy and Wyoming.	Mar. 1, 1942	Nov. 1, 1942
	B	In Kentucky—Kenton County, and in Campbell County, the Cities of Newport, Fort Thomas, Dayton and Bellevue.	do	Do.
(228) Cleveland	B	Cuyahoga County, except the Cities of Bedford, Berea, Shaker Heights, and University Heights, and the Villages of Bay, Beachwood, Bentleyville, Bratenahl, Brecksville, Chagrin Falls, Gates Mills, Highland Heights, Hunting Valley, Independence, Lyndhurst, Mayfield Heights, Moreland Hills, North Olmsted, North Royalton, Orange, Parkview, Pepper Pike, Seven Hills, Strongsville, Valley View, Warrensville Heights, Westlake and West View.	July 1, 1941	June 1, 1942
(229) Columbus	B	Franklin County, except the City of Upper Arlington.	Mar. 1, 1942	Nov. 1, 1942
	B	In Licking County, the City of Newark and the Townships of Madison and Newark.	do	May 1, 1943
(230) Dayton	B	Clark; Green; Miami; Montgomery; and in Champaign County, Urbana Township.	Apr. 1, 1941	July 1, 1942
(230a) Delaware County	B	In Delaware County, the Townships of Berkshire and Delaware.	July 1, 1945	Oct. 1, 1946
(232) Lima	B	In Allen County, the Townships of American, Bath, Ottawa, Perry and Shawnee.	Mar. 1, 1942	Nov. 1, 1942
(233) Lorain-Elyria	B	Lorain County, except the Townships of Brighton, Huntington, Penfield, Rochester and Wellington, and the Villages of Amherst, Avon Lake, Oberlin, Wellington and Rochester.	July 1, 1941	July 1, 1942
(234) Mansfield	B	Richland	Mar. 1, 1942	Nov. 1, 1942
(235) Marion	B	In Marion County, Marion Township and the City of Marion.	do	Sept. 1, 1942
(236a) Portsmouth	B	Scioto County, except the Townships of Brush Creek, Madison, Rardin and Vernon.	Jan. 1, 1946	Oct. 1, 1946
(287) Ravenna	B	Portage County, except the City of Kent and the Village of Aurora.	Apr. 1, 1941	June 1, 1942
(238) Sandusky-Port Clinton.	B	Erie County, except the Village of Milan, and those islands in Lake Erie which are part of Erie County; and Ottawa County, except those islands in Lake Erie which are part of Ottawa County.	Mar. 1, 1942	Oct. 1, 1942
(239) Sidney	B	In Shelby County, Clinton Township	do	Nov. 1, 1942
(240) Toledo	B	Lucas County, except the Village of Ottawa Hills, and Wood County, except the Village of Grand Rapids and the Townships of Bloom, Henry, Jackson, Liberty, Milton, Montgomery, Perry and Portage.	do	Do.

SCHEDULE A—DEFENSE-RENTAL AREAS—Continued

State and name of defense-rental area	Class	County or counties in defense-rental areas under regulation	Maximum rent date	Effective date of regulation
Ohio—Continued				
(241) Youngstown-Warren.	B	Mahoning and Trumbull	Apr. 1, 1941	June 1, 1942
(241a) Washington Courthouse.	B	In Fayette County, the Township of Washington	Oct. 1, 1943	Dec. 1, 1944
(241b) Zanesville	B	In Muskingum County, the City of Zanesville, and Springfield Township.	Mar. 1, 1945	May 1, 1946
(241c) Wooster	B	Wayne County, except the City of Wooster	July 1, 1945	Oct. 1, 1946
Oklahoma				
(242b) Ardmore	B	Carter	July 1, 1943	Oct. 1, 1944
(242c) Ada	B	Garvin, except the City of Lindsay	July 1, 1945	Nov. 1, 1946
(246) Lawton	A	Comanche	Sept. 1, 1950	Nov. 30, 1951
Oregon				
(255) Pendleton	B	Umatilla County, except the City of Pendleton	Mar. 1, 1942	Oct. 1, 1942
Pennsylvania				
(257) Allentown-Bethlehem.	B	Lehigh County, except the Townships of Heidelberg, Lowhill, Lower Macungie, Lower Milford, Lynn Upper Macungie, Upper Milford, Washington and Weisenberg, and the Boroughs of Alburtis, Macungie and Slatington; and Northampton County, except the Townships of Bushkill, Lehigh, Lower Mount Bethel, Moore, Plainfield, Upper Mount Bethel and Washington, and the Boroughs of Bangor, Chapman, East Bangor, Pen Argyl, Portland, Roseto, Walnutport and Wind Gap.	do	Sept. 1, 1942
(258) Altoona-Johnstown.	B	In Blair County, the City of Altoona, and the Townships of Allegheny, Antis, Blair, Frankstown, Logan and Snyder, and the Boroughs of Bellwood, Duncansville, Hollidaysburg, Newry and Tyrone; Cambria County; and in Somerset County, the Townships of Black, Conemough, Jenner, Lincoln, Ogle, Paint, Shade, Somerset, Summit and Quemahoning, and the Boroughs of Benson, Boswell, Central City, Hooversville, Garrett, Jennerstown, Meyersdale, Paint, Rockwood, Somerset, Stoyestown and Windber.	do	Nov. 1, 1942
(258a) Bradford County.	B	In Bradford County, the Township of Athens and the Municipalities of Sayre, Athens and South Waverly.	Jan. 1, 1944	May 1, 1945
(261) Erie	B	In Erie County, the City of Erie, the Boroughs of North Girard, Middleboro, Northeast, Paletea, Wattsburg and Wesleyville, and the Townships of Greene, Greenfield, Harborcreek, Lawrence Park, McKean, Millcreek, Northeast, Summit and Venango.	Mar. 1, 1942	July 1, 1942
(262) Harrisburg	B	Cumberland County, except the Borough of Lemoyne; Dauphin County; Lebanon County, except the Borough of Richland; and in Perry County, the Townships of Rye, Penn, and Wheatfield, and the municipalities of Marysville, Perdix and Duncannon.	do	Nov. 1, 1942
	B	Franklin County	do	Dec. 1, 1942
(262a) Indiana County	B	Indiana County, except the Borough of Indiana	July 1, 1945	Oct. 1, 1946
(263) Lancaster-York-Reading.	B	Berks, Lancaster and York	Mar. 1, 1942	Nov. 1, 1942
(264) Meadville-Titusville.	B	In Crawford County, the City of Meadville, the Borough of Saegertown, and the Townships of Vernon, West Mead and Woodcock.	do	Sept. 1, 1942
(266) Philadelphia	B	Bucks County; Chester County; Delaware County, except the Boroughs of Rose Valley and Swarthmore; Montgomery County, except the Borough of North Wales; and Philadelphia County.	do	July 1, 1942
	C	In Bucks County, the Townships of Bensalem, Bristol, Falls, Middletown, Lower Makefield, Upper Makefield, Newton, Wrightstown and Northampton, and the Boroughs of Bristol, Hulmeville, Langhorne, Langhorne Manor, Morrisville, Newton, Penndell, South Langhorne, Tullytown and Yardley.	Mar. 1, 1951	Nov. 5, 1951

SCHEDULE A—DEFENSE-RENTAL AREAS—Continued

State and name of defense-rental area	Class	County or counties in defense-rental areas under regulation	Maximum rent date	Effective date of regulation
Pennsylvania—Con.				
(267) Pittsburgh	B	Allegheny County, except the Boroughs of Bethel, Elizabeth and Rosslyn Farms, and the Townships of Crescent, Mount Lebanon and Ohio; Armstrong County; Beaver County; Lawrence County, except the Borough of New Wilmington; Westmoreland County; in Butler County, the City of Butler; Fayette County, except the Townships of Henry Clay, Stewart and Wharton; in Greene County, the Townships of Cumberland, Dunkard, Franklin, Jefferson, Monongahela and Morgan; and Washington County, except the Townships of East Finley, Morris, South Franklin and West Finley.	Mar. 1, 1942	July 1, 1942
(269a) Scranton-Wilkes-Barre.	B	Carbon, Lackawanna, and Schuylkill Counties in their entireties, and Luzerne County, except Nescopeck Borough, Nescopeck Township and Salem Township.	Mar. 1, 1946	June 1, 1946
(269b) State College	B	Centre	Jan. 1, 1946	Sept. 1, 1946
(270) Sharon-Farrell	B	Mercer	Apr. 1, 1941	July 1, 1942
(270a) Warren	B	In Warren County, the Boroughs of Clarendon, Warren and Youngsville, and the Townships of Conewango, Mead and Pleasant.	Mar. 1, 1942	Oct. 1, 1942
(272) Williamsport	B	In Lycoming County, the City of Williamsport, the Boroughs of South Williamsport, Duboistown, Montgomery and Montoursville, and the Townships of Armstrong, Clinton, Loyalsock and Old Lycoming.	do	Nov. 1, 1942
	B	In Northumberland County, the Cities of Shamokin and Sunbury, the Borough of Northumberland, and the Townships of Coal, Upper Augusta, Point and Rockefeller; in Snyder County, the Borough of Selinsgrove, and the Townships of Monroe and Penn including Shamokin Dam; and in Union County, the Borough of Lewisburg and the Townships of Buffalo and East Buffalo.	do	Dec. 1, 1942
	B	In Clinton County, the City of Lock Haven, the Boroughs of Flemington, Mill Hall and Renovo, and the Townships of Bald Eagle, Castanea, Dunnstable, Allison, Pine Creek, Wayne and Woodward.	do	Feb. 1, 1944
Rhode Island				
(273) Newport	B	Newport, except the Town of New Shoreham	do	Oct. 1, 1942
(274) Providence	B	Bristol, Kent, and Providence	do	Nov. 1, 1942
(275) Washington County.	B	Washington	do	do
South Carolina				
(276a) Aiken	A	Aiken	July 1, 1950	Sept. 20, 1951
	A	Allendale and Barnwell	May 1, 1951	Do.
(277) Charleston	B	Charleston County, except the City of Charleston, the Town of Mount Pleasant, and the Township of Folly Island.	Mar. 1, 1942	Aug. 1, 1942
	B	Beaufort County	do	Apr. 15, 1943
(278) Columbia	B	Sumter	do	Dec. 1, 1942
South Dakota				
(281a) Aberdeen	B	In Brown County, the City of Aberdeen	Oct. 1, 1944	Jan. 1, 1946
(281c) Huron	B	In Beadle County, the City of Huron	July 1, 1945	Nov. 1, 1946
(284) Rapid City-Sturgis.	B	In Meade County, Township Five North, Range Five East of the Black Hills Meridian, and the City of Sturgis; and in Pennington County, Township One North and Township Two North, Ranges One East to Nine East, both inclusive, and Township One South and Township Two South, Ranges One East to Seven East, both inclusive, and the City of Rapid City	Mar. 1, 1942	Oct. 1, 1942
	C	In Meade County, Township Five North, Range Five East of the Black Hills Meridian, and the City of Sturgis; and in Pennington County, Township One North and Township Two North, Ranges Seven East to Nine East, both inclusive, and Township One South, Range Seven East, and the City of Rapid City	July 1, 1950	Nov. 7, 1951

SCHEDULE A—DEFENSE-RENTAL AREAS—Continued

State and name of defense-rental area	Class	County or counties in defense-rental areas under regulation	Maximum rent date	Effective date of regulation
South Dakota—Con.				
(284) Rapid City-Sturgis—Continued	A	In Meade County, that portion lying west of the Black Hills Guide Meridian, except Township Five North, Range Five East of the Black Hills Meridian, and the City of Sturgis; and in Pennington County, Township One South, Range Eight East.	July 1, 1950	Nov. 7, 1951
(285) Sioux Falls	B	In Minnehaha County, the Cities of Sioux Falls and South Sioux Falls, and the Township of Sioux Falls.	Mar. 1, 1942	Nov. 1, 1942
Tennessee				
(288) Clarksville	B	Montgomery County, Tennessee; and Christian and Todd Counties, Ky.	Mar. 1, 1942	Sept. 1, 1942
	C	Montgomery County, Tennessee; and Christian County, Ky.	Oct. 1, 1950	Nov. 30, 1951
(289a) Columbia	B	Maury County, except the Town of Mount Pleasant.	Jan. 1, 1944	Apr. 1, 1945
(292b) Oak Ridge	B	In Anderson and Roane Counties, the Community known as Oak Ridge.	Mar. 1, 1942	Aug. 1, 1943
(292) Memphis	B	Shelby	Mar. 1, 1942	Oct. 1, 1942
(295) Nashville	B	Rutherford County, and Davidson County, except the Cities of Belle Meade and Berry Hill.	do	Dec. 1, 1942
Texas				
(305) Borger	A	Hutchinson	Feb. 1, 1951	Sept. 20, 1951
(319c) Brazoria	A	Brazoria	Sept. 1, 1950	Do.
(320) Florence-Killeen-Temple.	A	Bell County, except the City of Temple; Coryell County and in Williamson County, Precincts 4 and 5.	July 1, 1950	Oct. 23, 1951
(323a) Mineral Wells	A	Palo Pinto and Parker	Mar. 1, 1951	Nov. 1, 1951
(324) Mount Pleasant-Daingerfield.	A	Camp County; in Cass County, Precincts 1, 2 and 8; in Marion County, Precincts 1, 2 and 6; Morris County; and in Titus County, Precincts 1, 4, 5, 6, and 7.	Apr. 1, 1951	Nov. 26, 1951
Utah				
(336) Tooele	A	In Tooele County, that portion lying east of the Great Salt Lake Desert and in Salt Lake County, Precinct 4.	July 1, 1950	Oct. 1, 1951
Vermont				
(337a) Burlington	B	In Chittenden County, the Cities of Burlington and Winooski and the Town of South Burlington.	Mar. 1, 1943	Nov. 1, 1943
(337c) Montpelier	B	In Washington County, the Cities of Montpelier and Barre.	Jan. 1, 1946	Oct. 1, 1946
(337d) Rutland	B	In Rutland County, the City of Rutland and the Town of West Rutland.	do	Nov. 1, 1946
Virginia				
(340) Blackstone	A	In Brunswick County, the Magisterial Districts of Red Oak, Sturgeon and Totaro; in Dinwiddie County, the Magisterial District of Darvills, Lunenburg County, and Nottoway County.	Aug. 1, 1950	Nov. 7, 1951
(342) Norfolk-Portsmouth.	A	Independent Cities of Norfolk, Portsmouth and South Norfolk; and the Counties of Norfolk and Princess Anne.	July 1, 1951	Nov. 1, 1951
(342c) Newport News-Hampton.	A	Independent Cities of Hampton and Newport News, and the Counties of Warwick, Elizabeth City and York.	Apr. 1, 1951	Nov. 15, 1951
Washington				
(347) Bellingham	B	Whatcom County, except the City of Bellingham, and the Town of Ferndale.	Mar. 1, 1942	Nov. 1, 1942
	B	Skagit County, except the City of Mount Vernon	do	Nov. 1, 1943
(347a) Ephrata	B	A portion of Grant County lying between the south line Township 23 North and the north line of Township 16 North, except the Town of Soap Lake.	do	Do.
(348) Everett	B	Snohomish County, except the Cities of Edmonds and Snohomish and the Towns of East Stanwood, Marysville, Stanwood and Sultan.	do	Oct. 1, 1942
	B	Island County.	do	Dec. 1, 1942
(351a) Pullman-Moscow	B	Whitman County, Washington, except the City of Tekoa.	Jan. 1, 1946	Nov. 1, 1946
	B	Latah County, Idaho, except the city of Moscow	do	Do.

SCHEDULE A—DEFENSE-RENTAL AREAS—Continued

State and name of defense-rental area	Class	County or counties in defense-rental areas under regulation	Maximum rent date	Effective date of regulation
Washington—Continued				
(352) Puget Sound	B	Those parts of King County lying west of the Snoqualmie National Forest, except the City of Kent; and those parts of Pierce County lying west of the Snoqualmie National Forest, except the Cities of Puyallup, Summer and Tacoma, the Towns of Buckley, Orting, Ruston and Steilacoom, and all unincorporated localities.	Apr. 1, 1941	June 1, 1942
(352b) Bremerton	A	Kitsap	May 1, 1951	Oct. 15, 1951
(354) Walla Walla	B	Walla Walla County, except the Precincts of Attalia, Burbank and Wallula.	Mar. 1, 1942	Oct. 1, 1942
	B	Franklin County, except the Precincts of Eltopia, Ringold, Fishhook, Riverview, and Pasco 1, 2, 3, 4, 5, 6, and 7.	do	Nov. 1, 1942
(354a) Kennewick-Pasco-Richland.	B	In Benton County, the Precincts of Finley, South Kennewick, Kennewick Valley, Kennewick, Kennewick Gardens and Richland.	do	Jan. 1, 1943
	B	Benton County, except the Precincts of Finley, South Kennewick, Kennewick Valley, Kennewick, Kennewick Gardens and Richland.	Mar. 1, 1943	Apr. 1, 1944
	B	In Franklin County, the Precincts of Eltopia, Ringold, Fishhook, Riverview, and Pasco 1, 2, 3, 4, 5, 6 and 7.	Mar. 1, 1942	Nov. 1, 1942
	B	In Walla Walla County, the Precincts of Attalia, Burbank and Wallula.	do	Oct. 1, 1942
	C	Benton County; in Franklin County, the Precincts of Eltopia, Ringold, Fishhook, Riverview, and Pasco 1, 2, 3, 4, 5, 6 and 7; and in Walla Walla County, the Precincts of Attalia, Burbank and Wallula.	Apr. 1, 1951	Nov. 5, 1951
	A	In Yakima County, the Precincts of Belma, Byron, Mabton, Mabton Rural, North Grandview, South Grandview, Sunnyside 1, 2 and 3, Sunnyside Rural 1, 2, 3 and 4, Wanita and Wendell Phillips.	do	Do.
West Virginia				
(354b) Bluefield	B	Mercer	Jan. 1, 1945	Apr. 1, 1946
	B	McDowell and Raleigh	do	May 1, 1946
(355) Charleston	B	Kanawha	Mar. 1, 1942	Dec. 1, 1942
	B	In Putnam County, that portion of the City of Nitro located therein.	do	Aug. 1, 1943
(355a) Clarksburg	B	Harrison County, except the Town of Lumberport	June 1, 1944	June 1, 1945
(356) Huntington	B	In West Virginia—Wayne County, and Cabell County, except the Districts of Grant, McComas and Union, and except the Village of Barboursville.	Mar. 1, 1942	Nov. 1, 1942
	B	In Lawrence County, Ohio, the Townships of Upper, Perry, Fayette, Union and Hamilton.	do	Do.
	B	In Kentucky—Boyd County, and Greenup County except Magisterial Districts 1, 2, 3, 4, 5 and 6.	do	Do.
(356b) Logan	B	Logan	Oct. 1, 1943	Mar. 1, 1945
(356c) Mineral County	B	In Mineral County, the Town of Ridgeley	Oct. 1, 1944	Mar. 1, 1946
(357) Morgantown	B	Marion and Monongahelia	Apr. 1, 1941	July 1, 1942
(357a) Parkersburg	B	In Wood County, W. Va., the Magisterial Districts of Parkersburg, Lubeck and Tygart, and that part of the City of Vienna which lies in the Williams Magisterial District.	Mar. 1, 1945	Apr. 1, 1946
	B	In Washington County, Ohio, the Townships of Belpre, Marietta and Muskingum.	do	Do.
(359) Wheeling-Steubenville.	B	In West Virginia, Brooke, Hancock, Ohio and Marshall, except the Magisterial Districts of Cameron, Liberty, Meade, Sand Hill and Webster.	Mar. 1, 1942	Nov. 1, 1942
	B	In Ohio, Belmont County, Columbiana County, except the Village of Leetonia; and Jefferson County.	do	Do.
Wyoming				
(368) Casper	B	In Natrona County, the City of Casper	do	Oct. 1, 1942
(368a) Cody-Lovell	B	That portion of Big Horn County lying outside of the Big Horn National Forest and that portion of Park County lying outside of the Shoshone National Forest.	Jan. 1, 1944	Dec. 1, 1944

SCHEDULE A—DEFENSE-RENTAL AREAS—Continued

State and name of defense-rental area	Class	County or counties in defense-rental areas under regulation	Maximum rent date	Effective date of regulation
Wyoming—Continued				
(369) Cheyenne	B	That part of Laramie County, consisting of Townships 13 and 14 in Ranges 66 and 67 west of the 6th Principal Meridian including the City of Cheyenne.	Mar. 1, 1942	Oct. 1, 1942
(369b) Thermopolis	B	Hot Springs	Mar. 1, 1944	May 1, 1945
(369c) Laramie	B	Albany	Jan. 1, 1945	Feb. 1, 1946
Alaska				
(370) Alaska	B	Territory of Alaska	Mar. 1, 1942	Nov. 1, 1942
	C	In the Territory of Alaska, all the area within a 20-mile radius surrounding the Post Office of each of the following localities: The City of Anchorage, the City of Fairbanks, Elelson Air Force Base, Elmendorf Air Force Base, Ladd Air Force Base and Fort Richardson.	July 1, 1950	Oct. 1, 1951
Puerto Rico				
(371) Puerto Rico	B	Puerto Rico	Oct. 1, 1942	Feb. 1, 1944

SCHEDULE B—SPECIFIC PROVISIONS RELATING TO INDIVIDUAL DEFENSE-RENTAL AREAS OR PORTIONS THEREOF

1. Provisions relating to Jefferson County, Kentucky, in the Louisville Defense-Rental Area.

Increases in maximum rents based upon the recommendation of the Local Advisory Board. Effective October 9, 1947 the maximum rents for all housing accommodations in Jefferson County, Kentucky, in the Louisville Defense-Rental Area shall be increased 5 percent, except in cases in which the maximum rent has been established under section 82 prior to October 9, 1947. All provisions of this regulation insofar as it is applicable to the Louisville Defense-Rental Area are hereby amended to the extent necessary to carry this provision into effect.

2. Provisions relating to Peoria Defense-Rental Area, State of Illinois.

Increases in maximum rents based upon the recommendation of the Local Advisory Board. Effective January 20, 1948, the maximum rents for all housing accommodations in the Peoria Defense-Rental Area shall be increased 4 percent, except in cases in which the maximum rent has been established under section 82. All provisions of the regulation insofar as they are applicable to the Peoria Defense-Rental Area are hereby amended to the extent necessary to carry this provision into effect.

3. Provisions relating to Kalamazoo County, Michigan, in the Kalamazoo-Battle Creek Defense-Rental Area.

Increases in maximum rents based upon the recommendation of the Local Advisory Board. Effective January 22, 1948, the maximum rents for all housing accommodations in Kalamazoo County, Michigan, in the Kalamazoo-Battle Creek Defense-Rental Area shall be increased 5 percent except in cases in which the maximum rent has been established under section 82. All provisions of this regulation insofar as it is applicable to the Kalamazoo-Battle Creek Defense-Rental Area are hereby amended to the extent necessary to carry this provision into effect.

4. Provisions relating to Cedar Rapids Defense-Rental Area, State of Iowa.

Increases in maximum rents based upon the recommendation of the Local Advisory Board. Effective February 4, 1948, the maximum rents are increased in the amount of 7 percent for all housing accommodations in the Cedar Rapids Defense-Rental Area, Iowa, for which the maximum rents were determined under section 4 (a) and 4 (b) of the Rent Regulation for Housing, issued pursuant to the Emergency Price Control Act of 1942, as amended, or which have been fixed by an order entered under section 5 of said regulation or under sections 111 to 170 in cases in which section 5 or sections 111 to 170 provide that the maximum rent should be determined on the basis of the rent generally prevailing in the defense-rental area for comparable accommodations on the maximum rent date, except in cases in which the maximum rent has been established under section 82 and in those cases in which the maximum rent has been adjusted on or after August 22, 1947, under former § 825.5 (a) (12). All provisions of this regulation insofar as they are applicable to the Cedar Rapids Defense-Rental Area are hereby amended to the extent necessary to carry this provision into effect.

5. Provisions relating to Kalamazoo County, Michigan, in the Kalamazoo-Battle Creek Defense-Rental Area.

Increases in maximum rents based upon the recommendation of the Local Advisory Board. Effective March 31, 1948, the maximum rents for all housing accommodations in Kalamazoo County, Michigan, in the Kalamazoo-Battle Creek Defense-Rental Area shall be increased 3 percent except in cases in which the maximum rent has been established under section 82. All provisions of this regulation, insofar as they are applicable to the Kalamazoo-Battle Creek Defense-Rental Area are hereby amended to the extent necessary to carry this provision into effect.

6. Provisions relating to the Galesburg Defense-Rental Area, State of Illinois.

Increase in maximum rents based upon the recommendation of the Local Advisory Board. Pursuant to the provisions of and subject to the limitations contained in the Housing and Rent Act of 1947, as amended, the maximum rents for all housing accommodations in the Galesburg Defense-Rental Area shall be increased 18 percent, effective September 1, 1948, except in cases in which the maximum rents have been adjusted under former § 825.5 (a) (12) prior to September 1, 1948. All provisions of this regulation, insofar as they are applicable to the Galesburg Defense-Rental Area are hereby amended to the extent necessary to carry this provision into effect.

7. Provisions relating to Cass County, a portion of the Fargo-Moorhead Defense-Rental Area, State of North Dakota:

Increase in maximum rents based upon the recommendation of the Local Advisory Board. Effective October 5, 1948, an increase of 10 percent is hereby authorized in the maximum rents for all housing accommodations in Cass County, a portion of the Fargo-Moorhead Defense-Rental Area, State of North Dakota, except (i) all maximum rents established under section 82 of this regulation and (ii) all maximum rents which have heretofore been adjusted under former § 825.5 (a) (12) or 825.5 (a) (16). All provisions of this regulation insofar as they are applicable to the Fargo-Moorhead Defense-Rental Area are hereby amended to the extent necessary to carry this provision into effect.

8. Provisions relating to the Cedar Rapids Defense-Rental Area, State of Iowa:

Increase in maximum rents based upon the recommendation of the Local Advisory Board. Pursuant to the provisions of and subject to the limitations contained in the Housing and Rent Act of 1947, as amended, an increase of 7 percent, effective October 5, 1948, is hereby authorized in the maximum rents for those housing accommodations in the Cedar Rapids Defense-Rental Area which were not covered by Schedule B, Item 4, of this regulation except (i) housing accommodations which were first rented on or after February 4, 1948, and (ii) housing accommodations for which the maximum rent has been adjusted on or after August 22, 1947 under former § 825.5 (a) (12) or § 825.5 (a) (16) of this regulation: *Provided, however,* That if the 7 percent increase hereby authorized is applied to housing accommodations for which the maximum rent has been adjusted on or after February 4, 1948, under section 134 of this regulation, the amount of such adjustment under section 134 shall be excluded in determining the increased maximum rent. All provisions of this regulation insofar as they are applicable to the Cedar Rapids Defense-Rental Area are hereby amended to the extent necessary to carry this provision into effect.

9. Provisions relating to Bismarck-Mandan Defense-Rental Area, State of North Dakota:

Increase in maximum rents based upon the recommendation of the Local Advisory Board. Effective December 10, 1948, an increase of 9 percent is hereby authorized in the maximum rents for all housing accommodations in the Bismarck-Mandan Defense-Rental Area, State of North Dakota, except maximum rents established under section 82.

Any maximum rent for housing accommodations in said defense-rental area which is substantially lower than the rent generally prevailing in said defense-rental area for comparable housing accommodations on March 1, 1945 plus 9 percent shall be eligible for adjustment on the basis of such generally prevailing rent plus 9 percent, on the filing of an individual petition for adjustment under section 134.

10. Provisions relating to the City of Wilmington, Delaware, a portion of the Delaware Defense-Rental Area:

Increase in Maximum Rents Based Upon the Recommendation of the Local Advisory Board. Pursuant to the provisions of, and subject to the limitations contained in, the Housing and Rent Act of 1947, as amended, the maximum rents for housing accommodations in the City of Wilmington, Delaware, a portion of the Delaware Defense-Rental Area, are hereby increased, effective December 22, 1948, as follows:

a. For all housing accommodations for which the maximum rent was first determined under section 4 (a) or 4 (b) of the Rent Regulation for Housing, issued pursuant to the Emergency Price Control Act of 1942, as amended, the increased maximum rent shall be the amount of such first determined maximum rent plus 14 percent thereof and plus or minus (as the case may be) the amount of all subsequent adjustments made by order, except adjustments ordered on or after August 22, 1947, under former § 825.5 (a) (12) or § 825.5 (a) (16).

b. For all other housing accommodations for which an order was entered under the applicable rent regulation fixing the maximum rent on the basis of the rent generally prevailing in the defense-rental area for comparable housing accommodations on March 1, 1942, the increased maximum rent shall be the amount of the maximum rent fixed by such order plus 14 percent thereof and plus or minus (as the case may be) the amount of all subsequent adjustments made by order, except adjustments ordered on or

after August 22, 1947 under former § 825.5 (a) (12) or § 825.5 (a) (16).

c. Any maximum rent for housing accommodations in said city of Wilmington which is substantially lower than the rent generally prevailing in said defense-rental area for comparable housing accommodations on March 1, 1942 plus 14 percent shall be eligible for adjustment on the basis of such generally prevailing rent plus 14 percent, on the filing of an individual petition for adjustment under section 134.

11. Provisions relating to certain municipalities in the Eastern Massachusetts Defense-Rental Area, State of Massachusetts.

Increase in maximum rents based upon the recommendation of the Local Advisory Board. (a) Effective April 13, 1949, an increase in maximum rents is hereby authorized for housing accommodations located in each municipality listed below (in the Eastern Massachusetts Defense-Rental Area, State of Massachusetts) in the amount listed with respect to such municipality, said increase to apply only to housing, accommodations for which (1) the maximum rent was first determined under section 4 (a) or 4 (b) of the Rent Regulation for Housing issued pursuant to the Emergency Price Control Act of 1942, as amended, or (2) the maximum rent was fixed by an order entered under the applicable rent regulation fixing the maximum rent on the basis of the rent generally prevailing in the defense-rental area for comparable housing accommodations on March 1, 1942: *Provided, however,* That where any adjustment was heretofore ordered on or after August 22, 1947, under former § 825.5 (a) (12) or 825.5 (a) (16) the amount of such adjustment shall be excluded in determining the increased maximum rent: *And provided further,* That where housing accommodations are or were covered by a statutory lease, as defined in section 82, the increase hereby authorized shall not apply until after the termination of such lease, and after such termination the maximum rent shall be determined by the provisions of section 82 (b).

MASSACHUSETTS

Municipality:	Percentage increase	Municipality:	Percentage increase
Acton	10	Medford	12
Arlington	6	Medway	10
Ashland	12	Melrose	8
Avon	5	Millis	5
Ayer	5	Milton	7
Bedford	10	Natick	9
Bellingham	2	Needham	8
Belmont	4	Newton	5
Billerica	14	Norwood	3
Boston	8	Pepperell	4
Braintree	6	Plainville	6
Brookline	6	Quincy	6
Burlington	10	Randolph	14
Canton	8	Reading	9
Carlisle	6	Revere	4
Chelmsford	12	Sharon	13
Chelsea	7	Somerville	11
Cohasset	14	Stoneham	9
Concord	11	Stoughton	11
Dedham	5	Stowe	14
Dracut	3	Sudbury	14
Everett	2	Tewksbury	11
Foxboro	9	Townsend	14
Framingham	9	Tyngsboro	9
Franklin	12	Wakefield	7
Groton	4	Walpole	9
Holbrook	3	Waltham	10
Holliston	9	Watertown	6
Hopkinton	10	Wayland	10
Hudson	9	Wellesley	14
Lexington	14	Westford	5
Lincoln	9	Weston	10
Littleton	4	Westwood	11
Lowell	5	Weymouth	8
Malden	3	Wilmington	17
Marlborough	5	Winchester	10
Maynard	13	Winthrop	8
Medfield	13	Wrentham	13

(b) Any maximum rent for housing accommodations in any municipality listed above which is substantially lower than the rent generally prevailing in the defense-rental area for comparable housing accommodations on March 1, 1942, plus the percentage of increase listed above for said municipality, shall be eligible for adjustment on the basis of such generally prevailing rent plus said percentage, on the filing of an individual petition for adjustment under section 134.

(c) The provisions of this Schedule B, Item 11, shall not apply to housing accommodations located in any structure or premises which, on April 13, 1949, contained more than four dwelling units. For purposes of this paragraph, the term "dwelling unit" shall include any room or group of rooms rented or offered for rent for living or dwelling purposes at a single rent, and any room or group of rooms occupied for such purposes by an owner or lessee.

(d) All provisions of this regulation insofar as they are applicable to the municipalities listed above are hereby amended to the extent necessary to carry these provisions into effect.

12. Provisions relating to Americus, Georgia, Defense-Rental Area.

Recontrol of Americus, Georgia, Defense-Rental Area. Effective June 3, 1949, the provisions of this regulation shall apply to housing accommodations in the Americus, Georgia, Defense-Rental Area, which was heretofore decontrolled as of April 5, 1949, except as modified by the following provisions:

a. All orders in effect on April 4, 1949, in accordance with this regulation, shall be of full force and effect.

b. If, on June 3, 1949, there was a ground for adjustment under sections 126 to 140 for which no order had previously been issued, and a petition for adjustment is filed on or before July 3, 1949, the adjustment shall be effective as of June 3, 1949.

c. If, on June 3, 1949, the services provided with any housing accommodations are less than the minimum required by section 76, the landlord shall either restore and maintain such minimum services or file a petition on or before July 3, 1949, requesting approval of the decreased services. If, on June 3, 1949, the furniture, furnishings or equipment provided with any housing accommodations are less than the minimum required by section 76, the landlord shall file, on or before July 3, 1949, a written report showing the decrease in furniture, furnishings or equipment. Except as modified by this paragraph "c", the provisions of sections 146 to 149 shall be applicable to all such cases.

d. In the case of any action which, on June 3, 1949, was required or authorized by this regulation to be taken within a specified period of time, the same time period shall be applicable, but such time period shall be counted from June 3, 1949.

13. Provisions relating to Vermilion County, Illinois, a portion of the Champaign-Vermilion, Illinois, Defense-Rental Area.

Increase in maximum rents on Director's own initiative. In accordance with section 204 (b) (1) of the Housing and Rent Act of 1947, as amended, an increase of 16 percent is hereby authorized, effective June 22, 1949, in the maximum rents of those housing accommodations in Vermilion County, Illinois, a portion of the Champaign-Vermilion, Illinois, Defense-Rental Area, for which (a) the maximum rent was first determined under section 4 (a) or 4 (b) of the Rent Regulation for Housing issued pursuant to the Emergency Price Control Act of 1942, as amended, or (b) the maximum rent was fixed by an order entered under the applicable rent regulation fixing the maximum rent on the basis of the rent generally prevailing in the defense-rental area for comparable housing accommodations on March 1, 1942: *Provided, however,* That where any adjustment was heretofore ordered on or after August 22, 1947 under former § 825.5 (a) (12), (16) or section 18 of this regulation the amount of such adjustment shall be excluded in determining the increased maximum rent: *And provided further,* That where housing accommodations are or were covered by a statutory lease as defined in section 82, the increase hereby authorized shall not apply until after the termination of such lease, and after such termination the maximum rent shall be determined by the provisions of section 82 (b).

Any maximum rent for housing accommodations in said Vermilion County which is substantially lower than the rent generally prevailing in said defense-rental area for comparable housing accommodations on March 1, 1942, plus 16 percent shall be eligible for adjustment on the basis of such generally prevailing rent plus 16 percent, on the filing of an individual petition for adjustment under section 134.

14. Provisions relating to Black Township and the Borough of Rockwood in Somerset County, Pennsylvania, a portion of the Altoona-Johnstown, Pennsylvania, Defense-Rental Area.

Recontrol of Black Township and the Borough of Rockwood, in Somerset County, Pennsylvania, a portion of the Altoona-Johnstown, Pennsylvania, Defense-Rental Area Except as modified by the following provisions, the provisions of this regulation shall apply, effective July 18, 1949, to housing accommodations in Black Township and the Borough of Rockwood in Somerset County, Pennsylvania, a portion of the Altoona-Johnstown, Pennsylvania, Defense-Rental Area, said Township and Borough having been heretofore decontrolled as of April 8, 1949:

a. All orders in effect on April 7, 1949, in accordance with this regulation shall be of full force and effect.

b. If on July 18, 1949, there was a ground for adjustment under sections 126 to 140 for which no order had previously been issued, and a petition for adjustment is filed on or before August 18, 1949, the adjustment shall be effective as of July 18, 1949.

c. If on July 18, 1949, the services provided with any housing accommodations are less than the minimum services provided by section 76, the landlord shall either restore and maintain such minimum services or file a petition on or before August 18, 1949, requesting approval of the decreased services. If on July 18, 1949, the furniture, furnishings or equipment with any housing accommodations are less than the minimum required by section 76, the landlord shall file, on or before August 17, 1949, a written report showing the decrease in furniture, furnishings or equipment. Except as modified by this paragraph "c", the provisions of sections 146 to 149 shall be applicable to all such cases.

d. In the case of any action which, on July 18, 1949, was required or authorized by this regulation to be taken within a specified period of time, the same time period shall be applicable, but such time period shall be counted from July 18, 1949.

15. Provisions relating to Allegheny County, Pennsylvania, a portion of the Pittsburgh, Pennsylvania, Defense-Rental Area.

Decontrol of specified class of housing accommodations, on Director's own initiative. In accordance with section 204 (c) of the Housing and Rent Act of 1947, as amended, the application of this regulation is terminated, effective November 25, 1949, with respect to housing accommodations in Allegheny County, Pennsylvania, a portion of the Pittsburgh, Pennsylvania, Defense-Rental Area, located in structures which, on that date, met the following description:

A structure containing 12 or more dwelling units at least 80 percent of which (a) were rented or offered for rent on an unfurnished

basis subject to maximum rents which averaged $30 or more per room per month, and (b) had included in their rentals, as services, passenger elevator, telephone switchboard, receipt and delivery of mail and packages, interior painting, interior wall washing at least once a year, and heat and hot water. For purposes of this paragraph, enclosed kitchens shall be counted as rooms, but bathrooms shall not be counted as rooms.

16. Provisions relating to Hunterdon County, New Jersey, a portion of the Trenton, New Jersey, Defense-Rental Area.

Recontrol of Hunterdon County, New Jersey, as a portion of the Trenton, New Jersey, Defense-Rental Area. Effective March 3, 1950, the provisions of this regulation shall apply to housing accommodations in Hunterdon County, New Jersey, a portion of the Trenton, New Jersey, Defense-Rental Area, which county was heretofore decontrolled as of September 13, 1949, except as modified by the following provisions:

a. All orders in effect on September 12, 1949, in accordance with this regulation shall be of full force and effect.

b. If, on March 3, 1950, there was a ground for adjustment under sections 126 to 140 for which no order had previously been issued, and a petition for adjustment is filed on or before April 3, 1950, the adjustment shall be effective as of March 3, 1950.

c. If, on March 3, 1950, the services provided with any housing accommodations are less than the minimum required by section 76 the landlord shall either restore and maintain such minimum services or file a petition on or before April 3, 1950, requesting approval of the decreased services. If, on March 3, 1950, the furniture, furnishings or equipment provided with any housing accommodations are less than the minimum required by section 76, the landlord shall file, on or before April 3, 1950, a written report showing the decrease in furniture, furnishings or equipment. Except as modified by this paragraph "c", the provisions of sections 146 to 149 shall be applicable to all such cases.

d. In the case of any action which, on March 3, 1950, was required or authorized by this regulation to be taken within a specified period of time, the same time period shall be applicable, but such time period shall be counted from March 3, 1950.

17. Provisions relating to the Portland, Maine, Defense-Rental Area.

Recontrol of the Town of Sanford (including the communities of Sanford and Springvale) in York County, Maine, as a portion of the Portland, Maine, Defense-Rental Area. Effective March 3, 1950, the provisions of this regulation shall apply to housing accommodations in the Town of Sanford (including the communities of Sanford and Springvale) in York County, Maine, a portion of the Portland, Maine, Defense-Rental Area, which Town was heretofore decontrolled as of September 21, 1949, except as modified by the following provisions:

a. All orders in effect on September 21, 1949, in accordance with this regulation shall be of full force and effect.

b. If, on March 3, 1950, there was a ground for adjustment under sections 126 to 140 for which no order had previously been issued, and a petition for adjustment is filed on or before April 3, 1950, the adjustment shall be effective as of March 3, 1950.

c. If, on March 3, 1950, the services provided with any housing accommodations are less than the minimum required by section 76, the landlord shall either restore and maintain such minimum service or file a petition on or before April 3, 1950, requesting approval of the decreased services. If, on March 3, 1950, the furniture, furnishings or equipment provided with any housing accommodations are less than the minimum required by section 76, the landlord shall file, on or before April 3, 1950, a written report showing the decrease in furniture, furnishings or equipment. Except as modified by this paragraph "c," the provisions of sections 146 to 149 shall be applicable to all such cases.

d. In the case of any action which, on March 3, 1950, was required or authorized by this regulation to be taken within a specified period of time, the same time period shall be applicable, but such time period shall be counted from March 3, 1950.

18. Provisions relating to the City of Shamokin and Coal Township in Northumberland County, Pennsylvania, a portion of the Williamsport, Pennsylvania, Defense-Rental Area.

Recontrol of City of Shamokin and Coal Township in Northumberland County, Pennsylvania, as a portion of the Williamsport, Pennsylvania, Defense-Rental Area. Effective March 17, 1950, the provisions of this regulation shall apply to housing accommodations in the city of Shamokin and Coal Township in Northumberland County, Pennsylvania, a portion of the Williamsport, Pennsylvania, Defense-Rental Area, which City and Township were heretofore decontrolled as of December 21, 1949, except as modified by the following provisions:

a. All orders in effect on December 20, 1949, in accordance with this regulation shall be of full force and effect.

b. If, on March 17, 1950, there was a ground for adjustment under sections 126 to 140 for which no order had previously been issued, and a petition for adjustment is filed on or before April 17, 1950, the adjustment shall be effective as of March 17, 1950.

c. If, on March 17, 1950, the services provided with any housing accommodations are less than the minimum required by section 76, the landlord shall either restore and maintain such minimum services or file a petition on or before April 17, 1950, requesting approval of the decreased services. If, on March 17, 1950, the furniture, furnishings or equipment provided with any housing accommodations are less than the minimum required by section 76, the landlord shall file on or before April 17, 1950, a written report showing the decrease in furniture, furnishings or equipment. Except as modified by this paragraph "c," the provisions of sections 146 to 149 shall be applicable to all such cases.

d. In the case of any action which, on March 17, 1950, was required or authorized by this regulation to be taken within a specified period of time, the same time period shall be applicable, but such time period shall be counted from March 17, 1950.

e. The provisions of sections 181 to 206 shall not apply to any case in which judgment was entered prior to March 17, 1950, by a court of competent jurisdiction for the eviction or removal of a tenant from housing accommodations.

19. Provisions relating to the Baltimore, Maryland, Defense-Rental Area.

Decontrol of specified class of housing accommodations, on Director's own initiative. In accordance with section 204 (c) of the Housing and Rent Act of 1947, as amended, the application of this regulation is terminated, effective March 24, 1950, with respect to housing accommodations in the Baltimore, Maryland, Defense-Rental Area which, on February 1, 1950, (a) were unfurnished housing accommodations, (b) were located in a structure containing more than four housing accommodations, (c) consisted of no more than five rooms and (d) had a maximum rent in excess of $100.00 per month. For purposes of this decontrol provision:

(i) Foyers, pantries, bathrooms and closets shall not be counted as rooms;

(ii) Dressing rooms shall be counted as rooms if their floor area (exclusive of closets) is at least 50 square feet;

(iii) Maids' rooms (usually located adjacent to the kitchen) shall be counted as rooms if their floor area (exclusive of closets) is at least 118 square feet; and

(iv) Enclosed kitchens shall be counted as rooms.

20. Provisions relating to King County, Washington, a portion of the Puget Sound, Washington, Defense-Rental Area.

Decontrol of specified classes of housing accommodations on Director's own initiative. In accordance with section 204 (c) of the Housing and Rent Act of 1947, as amended, the application of this regulation is hereby terminated, effective April 14, 1950, with respect to housing accommodations in King County, Washington, a portion of the Puget Sound, Washington, Defense-Rental Area, which met the following description on March 15, 1950:

(a) Housing accommodations consisting of a one-family building or located in a two-family building, where such housing accommodations consisted of more than four rooms of at least 100 square feet each (of which rooms at least two were bedrooms) and for which the maximum rent was equal to at least $25 per room per month, unfurnished, or $35 per room per month, furnished.

(b) Housing accommodations located in a building containing three or more dwelling units, where such housing accommodations consisted of more than four rooms of at least 100 square feet each (of which rooms at least two were bedrooms), and for which the maximum rent was equal to at least $25 per room per month, unfurnished, or $35 per room per month, furnished.

For purposes of this decontrol provision:

(i) A kitchen shall be counted as a room only if its floor area (including that of adjoining dining space, if any) was at least 100 square feet and it had complete equipment, including cooking range and refrigerator, supplied by the landlord.

(ii) Bathrooms, halls, closets, foyers and attached dinettes (i. e., dining spaces not constituting fully enclosed rooms) shall not be counted as rooms.

21. Provisions relating to the City of Aberdeen in Brown County, South Dakota, the Aberdeen, South Dakota, Defense-Rental Area.

Recontrol of the City of Aberdeen in Brown County, South Dakota, as the Aberdeen, South Dakota, Defense-Rental Area. Effective May 10, 1950, the provisions of this regulation shall apply to housing accommodations in the City of Aberdeen in Brown County, South Dakota, the Aberdeen, South Dakota, Defense-Rental Area, which was heretofore decontrolled as of September 28, 1949, except as modified by the following provisions:

a. All orders in effect on September 27, 1949, in accordance with this regulation, shall be of full force and effect.

b. If, on May 10, 1950, there was a ground for adjustment under sections 126 to 140 for which no order had previously been issued, and a petition for adjustment is filed on or before June 10, 1950, the adjustment shall be effective as of May 10, 1950.

c. If, on May 10, 1950, the services provided with any housing accommodations are less than the minimum required by section 76, the landlord shall either restore and maintain such minimum services or file a petition on or before June 10, 1950, requesting approval of the decreased services. If, on May 10, 1950, the furniture, furnishings or equipment provided with any housing accommodations are less than the minimum required by section 76, the landlord shall file on or before June 10, 1950, a written report showing the decrease in furniture, furnishings or equipment. Except as modified by this paragraph "c," the provisions of sections 146 to 149 shall be applicable to all such cases.

d. In the case of any action which, on May 10, 1950, was required or authorized by this regulation to be taken within a specified period of time, the same time period shall

be applicable, but such time period shall be counted from May 10, 1950.

e. The provisions of sections 181 to 206 shall not apply to any case in which judgment was entered prior to May 10, 1950, by a court of competent jurisdiction for the eviction or removal of a tenant from housing accommodations.

22. Provisions relating to King County, Washington, a portion of the Puget Sound, Washington, Defense-Rental Area.

Decontrol of specified classes of housing accommodations on Director's own initiative. In accordance with section 204 (c) of the Housing and Rent Act of 1947, as amended, the application of this regulation is hereby terminated, effective November 1, 1950, with respect to housing accommodations in King County, Washington, a portion of the Puget Sound, Washington, Defense-Rental Area, which met the following description on July 1, 1950:

(1) Housing accommodations consisting of a one-family building or located in a two-family building, where such housing accommodations (a) had a maximum rent of at least $80 per month, unfurnished, or $85 per month, furnished, and (b) consisted of at least four, but not more than five and one-half, rooms which included a living-room of at least 140 square feet, a kitchen, one or more bedrooms, and either a full dining room or an attached dinette; or

(2) Housing accommodations located in a building containing three or more dwelling units, where such housing accommodations (a) had a maximum rent of at least $80 per month, unfurnished, or $85 per month, furnished, and (b) consisted of at least four, but not more than five and one-half, rooms which included a living-room of at least 140 square feet, a kitchen, one or more bedrooms, and either a full dining room or an attached dinette.

For purposes of this decontrol provision:

(i) A "one-half" room means an attached dinette, provided that where the dinette is attached to the kitchen, the floor area of the kitchen-dinette combination must be at least 100 square feet.

(ii) Bathrooms, halls, closets, and foyers shall not be counted as rooms.

(iii) Where alternate maximum rents were in effect for alternate conditions, such as with or without garage or other additional service or equipment, the maximum rent to be used shall be that which excludes the additional service or equipment.

23. Provisions relating to East Buffalo Township in Union County, Pennsylvania, a portion of the Williamsport, Pennsylvania, Defense-Rental Area.

Recontrol of East Buffalo Township in Union County, Pennsylvania, a portion of the Williamsport, Pennsylvania, Defense-Rental Area. Effective November 9, 1950, the provisions of this regulation shall apply to housing accommodations in East Buffalo Township in Union County, Pennsylvania, a portion of the Williamsport, Pennsylvania, Defense-Rental Area, which Township was heretofore decontrolled as of December 21, 1949, except as modified by the following provisions:

a. All orders in effect on December 20, 1949, in accordance with this regulation, shall be in full force and effect.

b. If, on November 9, 1950, there was a ground for adjustment under sections 126 to 140 for which no order had previously been issued, and a petition for adjustment is filed on or before December 9, 1950, the adjustment shall be effective as of November 9, 1950.

c. If, on November 9, 1950, the services provided with any housing accommodations are less than the minimum required by section 76, the landlord shall either restore and maintain such minimum services or file a petition on or before December 9, 1950 requesting approval of the decreased services. If, on November 9, 1950, the furniture, furnishings or equipment provided with any housing accommodations are less than the minimum required by section 76, the landlord shall file, on or before December 9, 1950, a written report showing the decrease in furniture, furnishings or equipment. Except as modified by this paragraph "c", the provisions of sections 146 to 149 shall be applicable to all such cases.

d. In the case of any action which, on November 9, 1950, was required or authorized by this regulation to be taken within a specified period of time, the same time period shall be applicable, but such time period shall be counted from November 9, 1950.

e. The provisions of sections 181 to 206 shall not apply to any case in which judgment was entered prior to November 9, 1950, by a court of competent jurisdiction for the eviction or removal of a tenant from housing accommodations.

24. Provisions relating to Laclede and Pulaski Counties, Missouri, a portion of the Rolla-Waynesville, Missouri, Defense-Rental Area.

Recontrol of Laclede and Pulaski Counties, Missouri, a portion of the Rolla-Waynesville, Missouri, Defense-Rental Area. Effective November 22, 1950, the provisions of this regulation shall apply to housing accommodations in Laclede and Pulaski Counties, Missouri, a portion of the Rolla-Waynesville, Missouri, Defense-Rental Area (said Laclede County having been heretofore decontrolled as of September 23, 1949, and said Pulaski County having been heretofore decontrolled as of September 7, 1949), except as modified by the following provisions:

a. All orders in effect on September 23, 1949, with respect to housing accommodations in Laclede County, in accordance with this regulation shall be in full force and effect; and all orders in effect on September 7, 1949, with respect to housing accommodations in Pulaski County, in accordance with this regulation, shall be in full force and effect.

b. If, on November 22, 1950, there was a ground for adjustment under sections 126 to 140 for which no order had previously been issued, and a petition for adjustment is filed on or before December 22, 1950, the adjustment shall be effective as of November 22, 1950.

c. If, on November 22, 1950, the services provided with any housing accommodations are less than the minimum required by section 76, the landlord shall either restore and maintain such minimum services or file a petition on or before December 22, 1950 requesting approval of the decreased services. If, on November 22, 1950, the furniture, furnishings or equipment provided with any housing accommodations are less than the minimum required by section 76, the landlord shall file, on or before December 22, 1950, a written report showing the decrease in furniture, furnishings or equipment. Except as modified by this paragraph "c", the provisions of sections 146 to 149 shall be applicable to all such cases.

d. In the case of any action which, on November 22, 1950, was required or authorized by this regulation to be taken within a specified period of time, the same time period shall be applicable but such time period shall be counted from November 22, 1950.

e. The provisions of sections 181 to 206 shall not apply to any case in which judgment was entered prior to November 22, 1950 by a court of competent jurisdiction for the eviction or removal of a tenant from housing accommodations.

25. Provisions relating to Union County, Kentucky, a part of the Evansville-Henderson, Indiana, Defense-Rental Area.

Recontrol of Union County, Kentucky, as a part of the Evansville-Henderson, Indiana, Defense-Rental Area. Effective December 1, 1950, the provisions of this regulation shall apply to housing accommodations in Union County, Kentucky, a part of the Evansville-Henderson, Indiana, Defense-Rental Area (which said county was heretofore decontrolled as of May 1, 1947), except as modified by the following provisions:

(1) *Maximum rents and reductions thereof.* (a) For housing accommodations which had a maximum rent in effect on May 1, 1947, and which were not subject to change as specified in paragraph (1) (b) hereof, the maximum rent shall be the maximum rent in effect on such date: *Provided, however,* That (i) if a Report of Maximum Rent is filed within the required time, the maximum rent shall be increased by 15 percent, effective as of December 1, 1950, and (ii) if such a report is filed subsequent to the required time, the maximum rent shall be increased by 15 percent beginning only as of the date on which such report is filed.

(b) For housing accommodations which had a maximum rent in effect on May 1, 1947, but which was subsequently changed prior to December 1, 1950, by a major capital improvement or from unfurnished to fully furnished, the maximum rent shall be the maximum rent in effect on May 1, 1947: *Provided, however,* That (i) if a Report of Maximum Rent is filed within the required time, the maximum rent shall be the first rent after such change, effective as of December 1, 1950, and (ii) if such a report is filed subsequent to the required time, the maximum rent shall be such first rent beginning only as of the date on which such report is filed.

(c) For housing accommodations for which no maximum rent was in effect on May 1, 1947, but which were thereafter rented prior to December 1, 1950 (including cases in which there was a substantial increase or decrease of living space between said dates), the maximum rent shall be the first rent on or after May 1, 1947.

(d) Any maximum rent established by paragraph (1) (b) or (c) hereof (except those established on the basis of a maximum rent in effect on May 1, 1947) shall be subject to reduction by order of the Director in accordance with the standards set forth in sections 157 and 162. In the case of a maximum rent established by paragraph (1) (c) hereof, if the landlord fails to file a Report of Maximum Rent within the required time, the rent received for any rental period commencing on or after December 1, 1950, shall be received subject to refund to the tenant of any amount in excess of the maximum rent which may later be fixed by an order under section 157 or 162. Such amount shall be refunded to the tenant within 30 days after the date of the issuance of the order unless the refund is stayed in accordance with the provisions of Rent Procedural Regulation 2. The landlord shall have the duty to refund only if the order under sections 156 to 163 is issued in a proceeding commenced by the Director within 3 months after the date of filing of such Report of Maximum Rent.

(e) The provisions of section 83 shall apply to all cases in which housing accommodations are first rented on or after December 1, 1950, and the provisions of section 85 shall apply to all cases in which there is a substantial change of living space on or after December 1, 1950, but all references in said provisions to Registration Statements shall be taken to mean references to Report of Maximum Rents.

(2) *Report of maximum rent.* Every landlord of controlled housing accommodations rented or offered for rent shall, within the required time, file in the Area Rent Office a Report of Maximum Rent on forms provided by the Director in accordance with the instructions on such forms. In section 211 the words "Report of Maximum Rent" shall be substituted for the words "Registration statement."

(3) *Minimum services, etc.* Every landlord shall as a minimum provide with housing accommodations the same essential services, furniture, furnishings and equipment as were provided on December 1, 1950, and as to other services, furniture, furnishings and equipment not substantially less than those provided on December 1, 1950, plus or minus any increases or decreases made pursuant to section 129 or sections 146 to 149: *Provided, however,* That the tenant's consent shall not be required in adjustments under section 129 where the increase occurred between May 1, 1947 and December 1, 1950: *And provided further,* That the Director may order a reduction in the maximum rent, effective December 1, 1950, if a decrease occurred between said dates, in accordance with the provisions of sections 159 and 146 to 149.

(4) *Miscellaneous provisions.* (a) The provisions of section 84 shall apply except that the date "April 30, 1947" shall be substituted for "June 30, 1947" and "May 1, 1947" shall be substituted for "July 1, 1947."

(b) All maximum rents established hereunder shall be subject to adjustment in accordance with the applicable provisions of sections 111 to 170.

(c) If, on December 1, 1950, there was a ground for adjustment under sections 111 to 170 for which no order had previously been issued, and a Report of Maximum Rent is filed within the required time, or a petition for adjustment is filed within such time, any adjustment granted on the basis of the facts presented therein shall be effective as of December 1, 1950.

(d) The provisions of sections 181 to 206 shall not apply to any case in which judgment was entered prior to December 1, 1950 by a court of competent jurisdiction for the eviction or removal of a tenant from housing accommodations.

(5) *Definitions.* As used in this Item 25 of Schedule B, the term:

"Maximum rent in effect on May 1, 1947" means the maximum rent as established under the Emergency Price Control Act of 1942, as amended, and the applicable rent regulation issued thereunder.

"Required time" for the filing of Reports of Maximum Rents means 30 days from December 1, 1950 (or 30 days from the date of first renting, in the case of housing accommodations first rented on or after December 1, 1950), or such extended time period as the Director may specify in any case in which he finds, from facts presented by the landlord, that additional time is or was reasonably necessary.

26. Provisions relating to Police Jury Ward 7, other than the City of Hammond, in Tangipahoa Parish, Louisiana, a portion of the Hammond, Louisiana, Defense-Rental Area.

Recontrol of Police Jury Ward 7, other than the City of Hammond, in Tangipahoa Parish, Louisiana, a portion of the Hammond, Louisiana, Defense-Rental Area. Effective December 1, 1950, the provisions of this regulation shall apply to housing accommodations in Police Jury Ward 7, other than the City of Hammond, in Tangipahoa Parish, Louisiana, a portion of the Hammond, Louisiana, Defense-Rental Area (said Ward other than said City of Hammond having been heretofore decontrolled as of October 5, 1949), except as modified by the following provisions:

a. All orders in effect on October 4, 1949, in accordance with this regulation shall be in full force and effect.

b. If, on December 1, 1950, there was a ground for adjustment under sections 126 to 140 for which no order had previously been issued, and a petition for adjustment is filed on or before December 31, 1950, the adjustment shall be effective as of December 1, 1950.

c. If on December 1, 1950, the services provided with any housing accommodations are less than the minimum required by section 76, the landlord shall either restore and maintain such minimum services or file a petition on or before December 31, 1950 requesting approval of the decreased services. If, on December 1, 1950, the furniture, furnishings or equipment provided with any housing accommodations are less than the minimum required by section 76, the landlord shall file, on or before December 31, 1950, a written report showing the decrease in furniture, furnishings or equipment. Except as modified by this paragraph "c", the provisions of sections 146 to 149 shall be applicable to all such cases.

d. In the case of any action which, on December 1, 1950, was required or authorized by this regulation to be taken within a specified period of time, the same time period shall be applicable but such time period shall be counted from December 1, 1950.

e. The provisions of sections 181 to 206 shall not apply to any case in which judgment was entered prior to December 1, 1950, by a court of competent jurisdiction for the eviction or removal of a tenant from housing accommodations.

27. Provisions relating to International Falls, Minnesota, Defense-Rental Area.

Recontrol of International Falls, Minnesota, Defense-Rental Area. Effective December 21, 1950, the provisions of this regulation shall apply to housing accommodations in the International Falls, Minnesota, Defense-Rental Area (which area was heretofore decontrolled as of October 7, 1949), except as modified by the following provisions:

a. All orders in effect on October 6, 1949, in accordance with this regulation shall be in full force and effect.

b. If, on December 21, 1950, there was a ground for adjustment under sections 126 to 140 for which no order had previously been issued, and a petition for adjustment is filed on or before January 21, 1951, the adjustment shall be effective as of December 21, 1950.

c. If, on December 21, 1950, the services provided with any housing accommodations are less than the minimum required by section 76, the landlord shall either restore and maintain such minimum services or file a petition on or before January 21, 1951, requesting approval of the decreased services. If, on December 21, 1950, the furniture, furnishings or equipment provided with any housing accommodations are less than the minimum required by section 76; the landlord shall file, on or before January 21, 1951, a written report showing the decrease in furniture, furnishings or equipment. Except as modified by this paragraph "c", the provisions of sections 146 to 149 shall be applicable to all such cases.

d. In the case of any action which, on December 21, 1950, was required or authorized by this regulation to be taken within a specified period of time, the same time period shall be applicable, but such time period shall be counted from December 21, 1950.

e. The provisions of sections 181 to 206 shall not apply to any case in which judgment was entered prior to December 21, 1950, by a court of competent jurisdiction for the eviction or removal of a tenant from housing accommodations.

28. Provisions relating to Phelps County, Missouri, other than the City of Rolla, a portion of the Rolla-Waynesville, Missouri, Defense-Rental Area.

Recontrol of Phelps County, Missouri, other than the City of Rolla, a portion of the Rolla-Waynesville, Missouri, Defense-Rental Area. Effective January 6, 1951, the provisions of this regulation shall apply to housing accommodations in Phelps County, Missouri, other than the City of Rolla, a portion of the Rolla-Waynesville, Missouri, Defense-Rental Area (said County, other than the City of Rolla, having been heretofore decontrolled as of September 23, 1949), except as modified by the following provisions:

a. All orders in effect on September 22, 1949, in accordance with this regulation, shall be in full force and effect.

b. If, on January 6, 1951, there was a ground for adjustment under sections 126 to 140 for which no order had previously been issued, and a petition for adjustment is filed on or before February 6, 1951, the adjustment shall be effective as of January 6, 1951.

c. If, on January 6, 1951 the services provided with any housing accommodations are less than the minimum required by section 76, the landlord shall either restore and maintain such minimum services or file a petition on or before February 6, 1951 requesting approval of the decreased services. If, on January 6, 1951, the furniture, furnishings or equipment provided with any housing accommodations are less than the minimum required by section 76, the landlord shall file, on or before February 6, 1951, a written report showing the decrease in furniture, furnishings or equipment. Except as modified by this paragraph c, the provisions of sections 146 to 149 shall be applicable to all such cases.

d. In the case of any action which, on January 6, 1951, was required or authorized by this regulation to be taken within a specified period of time, the same time period shall be applicable but such time period shall be counted from January 6, 1951.

e. The provisions of sections 181 to 206 shall not apply to any case in which judgment was entered prior to January 6, 1951 by a court of competent jurisdiction for the eviction or removal of a tenant from housing accommodations.

29. Provisions relating to the Borough of Woodbine in Cape May County and to the City of Millville in Cumberland County, New Jersey, portions of the Southern New Jersey Defense-Rental Area.

Recontrol of the Borough of Woodbine in Cape May County and the City of Millville in Cumberland County, New Jersey, portions of the Southern New Jersey Defense-Rental Area. Effective March 1, 1951, the provisions of this regulation shall apply to housing accommodations in the Borough of Woodbine in Cape May County and in the City of Millville in Cumberland County, New Jersey, portions of the Southern New Jersey Defense-Rental Area (said localities having been heretofore decontrolled as of May 1, 1947, and December 8, 1949, respectively), except as modified by the following provisions:

a. As to housing accommodations in the Borough of Woodbine in Cape May County, New Jersey: (i) All orders in effect on April 30, 1947, in accordance with regulations issued under the Emergency Price Control Act of 1942, as amended, shall be in full force and effect, unless and until revoked or modified by the Director; (ii) Wherever the date June 30, 1947, appears in sections 81, 83, 84, 129, 159 and 170, the date April 30, 1947, shall be substituted; (iii) Wherever the date July 1, 1947, appears in sections 83 and 84, the date May 1, 1947, shall be substituted.

b. As to housing accommodations in the City of Millville in Cumberland County, New Jersey, all orders in effect on December 7, 1949, in accordance with this regulation, shall be in full force and effect.

c. If, on March 1, 1951, there was a ground for adjustment under sections 126 to 140 for which no order had previously been issued, and a petition for adjustment is filed on or before April 1, 1951, the adjustment shall be effective as of March 1, 1951.

d. If, on March 1, 1951, the services provided with any housing accommodations are less than the minimum required by section 76, the landlord shall either restore and maintain such minimum services or file a petition on or before April 1, 1951, requesting approval of the decreased services. If, on March 1, 1951, the furniture, furnishings or equipment provided with any housing ac-

commodations are less than the minimum required by section 76, the landlord shall file, on or before April 1, 1951, a written report showing the decrease in furniture, furnishings or equipment. Except as modified by this paragraph, the provisions of sections 146 to 149 shall be applicable to all such cases.

e. In the case of any action which, on March 1, 1951, was required or authorized by this regulation to be taken within a specified period of time, the same time period shall be applicable but such time period shall be counted from March 1, 1951.

f. The provisions of sections 181 to 206 shall not apply to any case in which judgment was entered prior to March 1, 1951 by a court of competent jurisdiction for the eviction or removal of a tenant from housing accommodations.

30. Provisions relating to the Parishes of Beauregard and Vernon, Louisiana, portions of the Alexandria-Leesville, Louisiana, Defense-Rental Area.

Recontrol of the Parishes of Beauregard and Vernon, Louisiana, portions of the Alexandria-Leesville, Louisiana, Defense-Rental Area. Effective March 8, 1951, the provisions of this regulation shall apply to housing accommodations in the Parishes of Beauregard and Vernon, Louisiana, portions of the Alexandria-Leesville, Louisiana, Defense-Rental Area, except as modified by the following provisions:

a. As to housing accommodations in the Parish of Vernon, Louisiana: (i) All orders in effect on May 31, 1947 in accordance with regulations issued under the Emergency Price Control Act of 1942, as amended, shall be in full force and effect, unless and until revoked or modified by the Director; (ii) Wherever the date June 30, 1947 appears in sections 81, 83, 84, 129, 159, and 170, the date May 31, 1947 shall be substituted; (iii) Wherever the date July 1, 1947 appears in sections 83 and 84, the date June 1, 1947 shall be substituted.

b. As to housing accommodations in the Parish of Beauregard, the following orders shall be in full force and effect: (i) all orders in effect on October 30, 1947, in accordance with Rent Regulation 2, controlled Rooms in Rooming Houses and other establishments; (ii) all orders in effect on October 30, 1947, with respect to furnished rooms not constituting an apartment located within the residence occupied by the landlord or his immediate family in accordance with this regulation; (iii) all orders in effect on October 29, 1948, in accordance with this regulation.

c. If, on March 8, 1951, there was a ground for adjustment under sections 126 to 140 for which no order had previously been issued, and a petition for adjustment is filed on or before April 8, 1951, the adjustment shall be effective as of March 8, 1951.

d. If, on March 8, 1951, the services provided with any housing accommodations are less than the minimum required by section 76, the landlord shall either restore and maintain such minimum services or file a petition on or before April 8, 1951 requesting approval of the decreased services. If, on March 8, 1951, the furniture, furnishings or equipment provided with any housing accommodations are less than the minimum required by section 76, the landlord shall file, on or before April 8, 1951, a written report showing the decrease in furniture, furnishings or equipment. Except as modified by this paragraph "d", the provisions of sections 146 to 149 shall be applicable to all such cases.

e. In the case of any action which on March 8, 1951, was required or authorized by this regulation to be taken within a specified period of time, the same time period shall be applicable but such time period shall be counted from March 8, 1951.

f. The provisions of sections 181 to 206 shall not apply to any case in which judgment was entered prior to March 8, 1951 by a court of competent jurisdiction for the eviction or removal of a tenant from housing accommodations.

31. Provisions relating to the County of Missoula, other than the City of Missoula, a portion of the Missoula, Montana, Defense-Rental Area.

Recontrol of Missoula County, other than the city of Missoula, a portion of the Missoula, Mont., defense-rental area. Effective March 15, 1951, the provisions of this regulation shall apply to housing accommodations in Missoula County, other than the City of Missoula, a portion of the Missoula, Montana, Defense-Rental Area (said County, other than the City of Missoula, having been heretofore decontrolled as of September 23, 1949), except as modified by the following provisions:

a. All orders in effect on September 22, 1949, in accordance with this regulation shall be in full force and effect.

b. If, on March 15, 1951, there was a ground for adjustment under sections 126 to 140 for which no order had previously been issued, and a petition for adjustment is filed on or before April 15, 1951, the adjustment shall be effective as of March 15, 1951.

c. If, on March 15, 1951, the services provided with any housing accommodations are less than the minimum required by section 76, the landlord shall either restore and maintain such minimum services or file a petition on or before April 15, 1951, requesting approval of the decreased services. If, on March 15, 1951, the furniture, furnishings or equipment provided with any housing accommodations are less than the minimum required by section 76, the landlord shall file, on or before April 15, 1951, a written report showing the decrease in furniture, furnishings or equipment. Except as modified by this paragraph "c", the provisions of sections 146 to 149 shall be applicable to all such cases.

d. In the case of any action which, on March 15, 1951, was required or authorized by this regulation to be taken within a specified period of time, the same time period shall be applicable but such time period shall be counted from March 15, 1951.

e. The provisions of sections 181 to 206 shall not apply to any case in which judgment was entered prior to March 15, 1951, by a court of competent jurisdiction for the eviction or removal of a tenant from housing accommodations.

32. Provisions relating to the Borough of Vineland and the Township of Landis in Cumberland County, New Jersey, portions of the Southern New Jersey Defense-Rental Area.

Recontrol of the Borough of Vineland and the Township of Landis in Cumberland County, New Jersey, portions of the Southern New Jersey Defense-Rental Area. Effective March 31, 1951, the provisions of this regulation shall apply to housing accommodations in the Borough of Vineland and the Township of Landis in Cumberland County, New Jersey, portions of the Southern New Jersey Defense-Rental Area (said Cumberland County having been heretofore decontrolled as of December 8, 1949 and the City of Millville in said county having been recontrolled as of March 1, 1951), except as modified by the following provisions:

a. All orders in effect on December 7, 1949, in accordance with this regulation, shall be in full force and effect.

b. If, on March 31, 1951, there was a ground for adjustment under sections 126 to 140 for which no order had previously been issued, and a petition for adjustment is filed on or before April 30, 1951, the adjustment shall be effective as of March 31, 1951.

c. If, on March 31, 1951, the services provided with any housing accommodations are less than the minimum required by section 76, the landlord shall either restore and maintain such minimum services or file a petition on or before April 30, 1951, requesting approval of the decreased services. If, on March 31, 1951, the furniture, furnishings or equipment provided with any housing accommodations are less than the minimum required by section 76, the landlord shall file, on or before April 30, 1951, a written report showing the decrease in furniture, furnishings or equipment. Except as modified by this paragraph "c", the provisions of sections 146 to 149 shall be applicable to all such cases.

d. In the case of any action which, on March 31, 1951, was required or authorized by this regulation to be taken within a specified period of time, the same time period shall be applicable but such time period shall be counted from March 31, 1951.

e. The provisions of sections 181 to 206 shall not apply to any case in which judgment was entered prior to March 31, 1951 by a court of competent jurisdiction for the eviction or removal of a tenant from housing accommodations.

33. Provisions relating to Township 5 North Range 5 East of the Black Hills Meridian, including the City of Sturgis, in Meade County, South Dakota, a portion of the Rapid City-Sturgis, South Dakota, Defense-Rental Area.

Recontrol of Township 5 North, Range 5 East of the Black Hills Meridian, including the City of Sturgis, in Meade County, South Dakota, a portion of the Rapid City-Sturgis, South Dakota, Defense-Rental Area. Effective March 31, 1951, the provisions of this regulation shall apply to housing accommodations in Township 5 North, Range 5 East of the Black Hills Meridian, including the City of Sturgis, in Meade County, South Dakota, a portion of the Rapid City-Sturgis, South Dakota, Defense-Rental Area (said Meade County, other than the City of Sturgis, having been heretofore decontrolled as of April 8, 1949, and the said city of Sturgis, having been heretofore decontrolled as of October 5, 1949), except as modified by the following provisions:

a. As to housing accommodations in the City of Sturgis in Meade County, South Dakota, all orders in effect on October 4, 1949, in accordance with this regulation shall be in full force and effect.

b. As to housing accommodations in that portion of Meade County, South Dakota, other than the City of Sturgis, described as Township 5 North, Range 5 East of the Black Hills Meridian, all orders in effect on April 7, 1949, in accordance with this regulation shall be in full force and effect.

c. If, on March 31, 1951, there was a ground for adjustment under sections 126 to 140 for which no order had previously been issued, and a petition for adjustment is filed on or before April 30, 1951, the adjustment shall be effective as of March 31, 1951.

d. If, on March 31, 1951, the services provided with any housing accommodations are less than the minimum required by section 76, the landlord shall either restore and maintain such minimum services or file a petition on or before April 30, 1951 requesting approval of the decreased services. If, on March 31, 1951, the furniture, furnishings or equipment provided with any housing accommodations are less than the minimum required by section 76, the landlord shall file, on or before April 30, 1951, a written report showing the decrease in furniture, furnishings or equipment. Except as modified by this paragraph "d," the provisions of sections 146 to 149 shall be applicable to all such cases.

e. In the case of any action which, on March 31, 1951, was required or authorized by this regulation to be taken within a specified period of time, the same time period shall be applicable but such time period shall be counted from March 31, 1951.

f. The provisions of sections 181 to 206 shall not apply to any case in which judgment was entered prior to March 31, 1951 by a court of competent jurisdiction for the eviction or removal of a tenant from housing accommodations.

34. Provisions relating to the Key West, Florida, Defense-Rental Area.

Recontrol of certain housing accommodations located in trailers and trailer spaces in the Key West, Florida, Defense-Rental Area on the Director's initiative. Effective March 31, 1951, in the Key West, Florida, Defense-Rental Area, the provisions of this regulation shall apply to housing accommodations located in trailers and ground space rented for trailers, other than those which on April 1, 1949 were used exclusively for transient occupancy, i. e., other than those which, on April 7, 1949, were rented on a daily basis to tenants who had not continuously resided therein on and since March 1, 1949, except as modified by the following provisions:

a. All orders pertaining to said accommodations in effect on September 20, 1949, in accordance with this regulation shall be in full force and effect.

b. If on March 31, 1951, there was a ground for adjustment under sections 126 to 140 for which no order had previously been issued, and a petition for adjustment is filed on or before April 30, 1951, the adjustment shall be effective as of March 31, 1951.

c. If, on March 31, 1951, the services provided with any of said accommodations are less than the minimum required by section 76, the landlord shall either restore and maintain such minimum services or file a petition on or before April 30, 1951, requesting approval of the decreased services. If, on March 31, 1951, the furniture, furnishings or equipment provided with any of said accommodations are less than the minimum required by section 76, the landlord shall file, on or before April 30, 1951, a written report showing the decrease in furniture, furnishings or equipment. Except as modified by this paragraph "c", the provisions of sections 146 to 149 shall be applicable to all such cases.

d. In the case of any action which on March 31, 1951, was required or authorized by this regulation to be taken within a specified period of time, the same time period shall be applicable but such time period shall be counted from March 31, 1951.

e. The provisions of sections 181 to 206 shall not apply to any case in which judgment was entered prior to March 31, 1951, by a court of competent jurisdiction for the eviction or removal of a tenant from any of said accommodations.

35. Provisions relating to the County of Hancock, Indiana, a portion of the Indianapolis, Indiana, Defense-Rental Area.

Control of the County of Hancock, Indiana, a portion of the Indianapolis, Indiana, Defense-Rental Area. Effective June 1, 1951, the provisions of this regulation shall apply to housing accommodations in the County of Hancock, Indiana, a portion of the Indianapolis, Indiana, Defense-Rental Area, except as modified by the following provisions:

a. "Maximum rent date" means April 1, 1951. "Effective date of regulation" means June 1, 1951.

b. In the case of any action which, on June 1, 1951, was required or authorized by this regulation to be taken within a specified period of time, the same time period shall be applicable but such time period shall be counted from June 1, 1951.

c. If, on June 1, 1951, services provided with any housing accommodations are less than the minimum required by section 76, the landlord shall either restore and maintain such minimum services or file a petition on or before June 30, 1951, requesting approval of the decreased services. If, on June 1, 1951, the furniture, furnishings or equipment provided with any housing accommodations are less than the minimum required by section 76, the landlord shall file, on or before June 30, 1951, a written report showing the decrease in furniture, furnishings, or equipment. Except as modified by this amendment, the provisions of sections 146 to 149 shall be applicable to all such cases.

d. Section 73 (b) is changed to read as follows:

(b) *Maximum rent established by a renting prior to June 1, 1951.* Where the maximum rent of the housing accommodations is originally established by a renting prior to June 1, 1951, no security deposit shall be demanded, received, or retained except in the amount (or any lesser amount) and on the same terms and conditions (or on terms and conditions less burdensome to the tenant) provided for in the lease or other rental agreement in effect on the date determining the maximum rent.

e. Section 81 is changed to read as follows:

Rents on April 1, 1951. Except as otherwise provided in this section, for any housing accommodations subject to this regulation and rented on April 1, 1951, the maximum rent shall be the rent for such accommodations on that date.

f. If, on June 1, 1951, there was a ground for adjustment under sections 126 to 140 and a petition for adjustment is filed on or before June 30, 1951, the adjustment shall be effective as of June 1, 1951.

g. In section 129 the word "space" and the phrase, "or a substantial increase in the living space since June 30, 1947 but before April 1, 1948" are deleted.

h. In section 159 the word "space" and the phrase "or a substantial decrease in the living space since June 30, 1947, but before April 1, 1948," are deleted.

i. The provisions of sections 181 to 206 shall not apply to any case in which judgment was entered prior to June 1, 1951, by a court of competent jurisdiction for the eviction or removal of a tenant from housing accommodations.

j. Wherever the date June 30, 1947, appears in sections 83 and 84, the date April 1, 1951, shall be substituted.

k. Wherever the date July 1, 1947, appears in section 166 the date June 1, 1951, shall be substituted.

l. Wherever the date April 1, 1948, appears in section 85 the date April 1, 1951, shall be substituted.

m. Wherever the date July 1, 1947, appears in sections 83 and 84, the date April 2, 1951, shall be substituted.

36. Provisions relating to the recontrol of the Towns of Ashland, Caribou, Easton, Fort Fairfield, Limestone, Mapleton, Mars Hill, Presque Isle, Van Buren, Washburn and Westfield, the Plantations of Caswell and Hamlin, and the City of Presque Isle in Aroostook County, Maine, portions of the Presque Isle, Maine, Defense-Rental Area. Effective July 18, 1951, the provisions of this regulation shall apply to housing accommodations in the Towns of Ashland, Caribou, Easton, Fort Fairfield, Limestone, Mapleton, Mars Hill, Presque Isle, Van Buren, Washburn and Westfield, the Plantations of Caswell and Hamlin, and the City of Presque Isle in Aroostook County, Maine, portions of the Presque Isle, Maine, Defense-Rental Area, except as modified by the following provisions:

a. All orders in effect on September 12, 1949, in accordance with this regulation, shall be in full force and effect.

b. If, on July 18, 1951, there was a ground for adjustment under sections 126 to 140 for which no order had previously been issued, and a petition for adjustment is filed on or before August 17, 1951, the adjustment shall be effective as of July 18, 1951.

c. If, on July 18, 1951, the services provided with any housing accommodations are less than the minimum required by section 76, the landlord shall either restore and maintain such minimum services or file a petition on or before August 17, 1951, requesting approval of the decreased services. If, on July 18, 1951, the furniture, furnishings or equipment provided with any housing accommodations are less than the minimum required by section 76, the landlord shall file, on or before August 17, 1951, a written report showing the decrease in furniture, furnishings, or equipment. Except as modified by this paragraph "c", the provisions of sections 146 to 149 shall be applicable to all such cases.

d. In the case of any action which on July 18, 1951, was required or authorized by this regulation to be taken within a specified period of time, the same time period shall be applicable but such time period shall be counted from July 18, 1951.

e. The provisions of sections 181 to 206 shall not apply to any case in which judgment was entered prior to July 18, 1951, by a court of competent jurisdiction for the eviction or removal of a tenant from housing accommodations.

37. Provisions relating to the City of New Orleans in Orleans Parish, Louisiana, a portion of the New Orleans, Louisiana, Defense-Rental Area.

Decontrol of specified class of housing accommodations on Director's own initiative. In accordance with section 204 (c) of the Housing and Rent Act of 1947, as amended, the application of this regulation is hereby terminated, effective July 31, 1951, with respect to housing accommodations in the City of New Orleans in Orleans Parish, Louisiana, which on June 1, 1951, were, (a) unfurnished housing accommodations and (b) had a maximum rent of $70.00 or more per month.

38. Provisions relating to the Bangor, Maine, Defense-Rental Area.

Recontrol of the Bangor, Maine, Defense-Rental Area. Effective June 27, 1951, the provisions of this regulation shall apply to housing accommodations in the Bangor, Maine, Defense-Rental Area, except as modified by the following provisions:

a. As to housing accommodations in the Bangor, Maine, Defense-Rental Area, all orders in effect on September 15, 1949, in accordance with this regulation, shall be in full force and effect.

b. If, on June 27, 1951, there was a ground for adjustment under sections 126 to 140 for which no order had previously been issued, and a petition for adjustment is filed on or before July 27, 1951, the adjustment shall be effective as of June 27, 1951.

c. If, on June 27, 1951, the services provided with any housing accommodations are less than the minimum required by section 76, the landlord shall either restore and maintain such minimum services or file a petition on or before July 27, 1951, requesting approval of the decreased services. If, on June 27, 1951, the furniture, furnishings or equipment provided with any housing accommodations are less than the minimum required by section 76, the landlord shall file on or before July 27, 1951, a written report showing the decrease in furniture, furnishings or equipment. Except as modified by this paragraph c, the provisions of sections 146 to 149 shall be applicable to all such cases.

d. In the case of any action which on June 27, 1951, was required or authorized by this regulation to be taken within a specified period of time the same time period shall be applicable but such time period shall be counted from June 27, 1951.

e. The provisions of sections 181 to 206 shall not apply to any case in which judgment was entered prior to June 27, 1951 by a court of competent jurisdiction for the eviction or removal of a tenant from housing accommodations.

39. *Provisions relating to the recontrol of the Borough of Montgomery and the Township of Clinton in Lycoming County, Pennsylvania, portions of the Williamsport, Pennsylvania, Defense-Rental Area.* Effective September 1, 1951, the provisions of this regulation shall apply to housing accommodations in the Borough of Montgomery and the Township of Clinton in Lycoming County, Pennsylvania, portions of the Williamsport, Pennsylvania, Defense-Rental Area, except as modified by the following provisions:

a. All orders in effect on December 20, 1949, in accordance with this regulation, shall be in full force and effect.

b. If, on September 1, 1951, there was a ground for adjustment under sections 126 to 140 for which no order had previously been issued, and a petition for adjustment is filed on or before October 1, 1951, the adjustment shall be effective as of September 1, 1951.

c. In section 140 wherever the date July 31, 1951 appears the date September 1, 1951 shall be substituted.

d. If, on September 1, 1951, the services provided with any housing accommodations are less than the minimum required by section 76, the landlord shall either restore and maintain such minimum services or file a petition on or before October 1, 1951 requesting approval of the decreased services. If, on September 1, 1951, the furniture, furnishings, or equipment provided with any housing accommodations are less than the minimum required by section 76, the landlord shall file, on or before October 1, 1951, a written report showing the decrease in furniture, furnishings, or equipment. Except as modified by this paragraph "d", the provisions of sections 146 to 149 shall be applicable to all such cases.

e. In the case of any action which on September 1, 1951, was required or authorized by this regulation to be taken within a specified period of time, the same time period shall be applicable but such time period shall be counted from September 1, 1951.

f. The provisions of sections 181 to 206 shall not apply to any case in which judgment was entered prior to September 1, 1951 by a court of competent jurisdiction for the eviction or removal of a tenant from housing accommodations.

40. *Provisions relating to the San Diego, California, Defense-Rental Area.* Effective October 1, 1951, the provisions of this regulation shall apply to housing accommodations in the San Diego, California, Defense-Rental Area except as follows:

In section 140 wherever the date July 31, 1951, appears, the date October 1, 1951, shall be substituted.

41. *Provisions relating to the recontrol of the Town of Ridgeley in Mineral County, West Virginia, a portion of the Mineral County Defense-Rental Area.* Effective October 6, 1951, the provisions of this regulation shall apply to housing accommodations in the Town of Ridgeley in Mineral County, West Virginia, a portion of the Mineral County Defense-Rental Area, except as modified by the following provisions:

a. All orders in effect on August 29, 1949, in accordance with this regulation, shall be in full force and effect.

b. If, on October 6, 1951, there was a ground for adjustment under sections 126 to 140 for which no order had previously been issued, and a petition for adjustment is filed on or before November 6, 1951, the adjustment shall be effective as of October 6, 1951.

c. In section 140, wherever the date July 31, 1951, appears the date October 6, 1951, shall be substituted.

d. If, on October 6, 1951, the services provided with any housing accommodations are less than the minimum required by section 76, the landlord shall either restore and maintain such minimum services or file a petition on or before November 6, 1951 requesting approval of the decreased services. If, on October 6, 1951, the furniture, furnishings, or equipment provided with any housing accommodations are less than the minimum required by section 76, the landlord shall file, on or before November 6, 1951, a written report showing the decrease in furniture, furnishings, or equipment. Except as modified by this paragraph, the provisions of sections 146 to 149 shall be applicable to all such cases.

e. In the case of any action which on October 6, 1951, was required or authorized by this regulation to be taken within a specified period of time, the same time period shall be applicable but such time period shall be counted from October 6, 1951.

42. *Provisions relating to the recontrol of Johnson County, Missouri, a portion of the Sedalia, Missouri, Defense-Rental Area.* Effective November 10, 1951, the provisions of this regulation shall apply to housing accommodations in Johnson County, Missouri, a portion of the Sedalia, Missouri, Defense-Rental Area, except as modified by the following provisions:

a. All orders in effect on September 22, 1949, in accordance with this regulation, shall be in full force and effect.

b. If on November 10, 1951, there was a ground for adjustment under sections 126 to 140 for which no order had previously been issued, and a petition for adjustment is filed on or before December 10, 1951, the adjustment shall be effective as of November 10, 1951.

c. In section 140, wherever the date July 31, 1951 appears the date November 10, 1951 shall be substituted.

d. If, on November 10, 1951, the services provided with any housing accommodations are less than the minimum required by section 76, the landlord shall either restore and maintain such minimum services or file a petition on or before December 10, 1951 requesting approval of the decreased services. If, on November 10, 1951, the furniture, furnishings or equipment provided with any housing accommodations are less than the minimum required by section 76, the landlords shall file, on or before December 10, 1951, a written report showing the decrease in furniture, furnishings or equipment. Except as modified by this paragraph "d", the provisions of sections 146 to 149 shall be applicable to all such cases.

e. In the case of any action which, on November 10, 1951, was required or authorized by this regulation to be taken within a specified period of time, the same time period shall be applicable but such time period shall be counted from November 10, 1951.

43. *Provisions relating to Atlantic County, New Jersey, in the Atlantic County Defense-Rental Area.* Effective December 15, 1951, the provisions of this regulation shall apply to housing accommodations in Atlantic County, New Jersey, except as modified by the following provisions:

a. Section 41 is changed to read as follows:

SEC. 41. *Resort housing; summer resort housing.* Housing accommodations located in a resort community and customarily rented or occupied on a seasonal basis prior to October 1, 1945, which were not rented during any portion of the period beginning on November 1, 1943, and ending on February 29, 1944. This exemption shall be effective only from June 1 to September 30, inclusive.

b. A new section 41a is added, reading as follows:

SEC. 41a. *Subletting.* This regulation does not apply to the subletting or other subrenting of housing accommodations for a term beginning on or after June 1, and ending on or before September 30 by a tenant who remained in occupancy and used the accommodations as his home from January 1 of the same calendar year in which such subletting or subrenting occurs to the date of such subletting or subrenting.

44. *Provisions relating to the Oak Ridge Defense-Rental Area.* Effective December 18, 1951, the provisions of this regulation shall apply to housing accommodations in the Oak Ridge Defense-Rental Area, except as modified by the following provisions:

a. Sections 81 to 99 shall be inapplicable to housing accommodations in this defense-rental area.

b. For housing accommodations in the defense-rental area having an established rent on December 18, 1951, the maximum rent shall be the established rent for such housing accommodations on that date. For housing accommodations which have no established rent on December 18, 1951, the maximum rent shall be the first rent charged after that date for such accommodations. The Director, at any time on his own initiative or on application of the tenant, may order a decrease of a maximum rent, established under this paragraph, on the ground that the maximum rent is substantially higher than the rent generally prevailing in the defense-rental area for comparable housing accommodations on March 1, 1942, taking into consideration all relevant factors, including any adjustments under sections 126 to 140 which may be applicable.

c. For the purpose of establishing maximum rents on the basis of the rent generally prevailing on the maximum rent date in the defense-rental area, the defense-rental area shall be deemed to include the counties of Blount, Knox, Anderson and Roane, Tennessee.

d. If on December 18, 1951, there was a ground for adjustment under sections 126 to 140 for which no order had previously been issued, and a petition for adjustment is filed on or before February 1, 1952, the adjustment shall be effective as of December 18, 1951.

e. In the case of any action which, on December 18, 1951, was required or authorized by this regulation to be taken within a specified period of time, the same time period shall be applicable but such time period shall be counted from December 18, 1951.

Issued this 19th day of December 1951.

TIGHE E. WOODS,
Director of Rent Stabilization.

[F. R. Doc. 51-15188; Filed, Dec. 20, 1951; 9:50 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Bureau of Animal Industry

[9 CFR Part 131]

HANDLING OF ANTI-HOG-CHOLERA SERUM AND HOG-CHOLERA VIRUS

NOTICE OF PROPOSED AMENDMENT TO RULES AND REGULATIONS OF CONTROL AGENCY

Notice is hereby given, pursuant to the Administrative Procedure Act, that the Control Agency administering the provisions of BAI Order No. 361, effective under Public Law 320, 74th Cong., approved August 24, 1935 (49 Stat. 761, 7 U. S. C. 851 et seq.) regulating the handling of anti-hog-cholera serum and hog-cholera virus, is considering the adoption of an amendment to the rules and regulations of the Control Agency as follows:

Amend § 131.242 *Manner of classifying wholesalers,* to read as follows:

§ 131.242 *Manner of classifying wholesalers.* Any person not presently so classified who desires to be classified as a wholesaler must apply for such classification on a form prescribed by the control agency and must prove to the satisfaction of the control agency that he performs the functions required by § 131.8, or that he meets the requirements of § 131.8, as further defined by §§ 131.222 and 131.223. The form of such application is as follows:

APPLICATION FOR CLASSIFICATION AS A WHOLESALER OF ANTI-HOG-CHOLERA SERUM AND HOG-CHOLERA VIRUS

Control Agency,
Office of Executive Secretary,
512 Porter Building,
Kansas City 2, Missouri.

The undersigned petitions the Control Agency to consider the facts set forth in the following application to determine if the applicant qualifies under BAI Order 361 as a wholesaler pursuant to the approved Marketing Agreement and Order as amended, regulating the handling of anti-hog-cholera serum and hog-cholera virus:

1. Name and address of applicant:
   Firm Name _____
   Address _____ _____
   (Street address) (City)
   _____ _____
   (Zone number) (State)
2. State if applicant is an:
   (a) Individual _____
   (b) Partnership (list the partners) _____
   _____
   (c) Corporation _____
   (d) Unincorporated association _____
   (e) Other (State) _____
3. List persons (and titles) authorized to handle matters pertaining to BAI Order 361 _____
   _____
4. What other firm names, if any, are used or will be used in advertising, selling and shipping serum and virus? _____
   _____
5. If you manufacture any products, give full information: _____
   _____
   _____
6. Do you act as a manufacturer's agent for any products handled by your firm? _____
7. How long have you been in your present business? _____
8. Does any manufacturer of veterinary products, or any handler, veterinarian, druggist, or swine owner have a direct or indirect financial interest in your firm? _____ If so, explain _____
   _____
   _____
9. Does, or will, any officer or employee of your firm practice veterinary medicine? _____; Administer serum and virus to swine? _____; Will you employ any one to vaccinate? _____
10. Are you an owner of swine? _____ If so, explain _____
    _____
11. Are you a veterinarian, county agent, or vocational agriculture teacher? _____ If so, state _____
    _____
12. Do you purchase supplies for an institution? _____ If so, explain _____
    _____
13. At present, what is your principal business? _____
    _____
14. If you have any branch offices, list them _____
15. Will these branches market serum and virus if you are approved as a wholesaler? _____
    _____
16. Are you listed in Dun & Bradstreet? _____ Hayes Directory? _____
    _____
17. Have you ever, or do you hold now, a license from the Department of Agriculture, Bureau of Animal Industry? _____ Explain _____
    _____

APPLICANT'S BACKGROUND

1. Have you ever handled any serum and virus, or any veterinary products? _____ If so, explain _____
   _____
   _____
2. Have you ever made a request for classification to the Control Agency? _____ If so, give details, and resultant action;
   _____
   _____
3. If you have secured information, or discussed distribution of serum and virus with any handler (manufacturer or wholesaler) give details, particularly if any manufacturer is sponsoring you.
   _____
   _____
4. Are you familiar with livestock diseases? _____ If so, in what capacity? _____
   _____
5. If you purchased serum and virus last year, indicate the approximate amount: Serum _____ cc's. Virus _____ cc's.

STORAGE FACILITIES

1. Do you regularly maintain in stock a line of (please check):
   (a) Biologicals _____
   (b) Pharmaceuticals _____
   (c) Instruments _____
   (d) Human health preparations _____
2. Do you now maintain stocks of serum and virus at all times? _____. If so, give minimum: Serum _____ cc's. Virus _____ cc's.
3. If it is determined that you qualify under BAI Order 361 as a wholesaler, what do you estimate your minimum stocks will be for: Serum _____ cc's. Virus _____ cc's.
4. Describe your refrigerator or cooling equipment:
   (a) Capacity in cubic feet _____
   (b) State whether it is electric, gas or ice _____
5. What is the temperature maintained in your refrigerator? _____.
6. Do you contemplate additional refrigeration? _____; If so, describe _____
   _____
   Is additional refrigerator space available for your temporary use? _____

SHIPPING FACILITIES

1. State the approximate size of your shipping room at your place of business: _____
   _____
2. Is the serum and virus sold by you packed at and shipped from your established place of business, including any branches you may own? _____ If not, explain _____
3. Is all the shipping, selling and advertising of serum and virus done in the name of the applicant? _____ If not, will this be done if it is determined that you qualify as a wholesaler? _____
4. Do you now absorb all expenses incidental to shipping and transportation of serum and virus? _____ Will you do so if it is determined that you qualify as a wholesaler? _____
5. Do you have any drop-shipments? _____

ADVERTISING

1. How do you advertise now? _____
2. How will you advertise if it is determined that you qualify as a wholesaler? _____
3. State the number of your salesmen who sell in a territory full-time _____; part-time _____. Are you one of these salesmen? _____ If so, will you continue to sell in a territory if you qualify as a wholesaler? _____
4. If it is determined that you come within the scope of BAI Order 361, how many outside salesmen will you have selling serum and virus full-time _____; part-time? _____
5. If you qualify as a wholesaler, what is the average number of days per week your salesmen will be traveling and contacting dealers for sales of serum and virus and other veterinary products? _____

SALES AND FACILITIES

1. What percentage of total sales of serum and virus would you expect to make to dealers if you qualify as a wholesaler?
   _____
2. What percentage of your total sales of all other products do you, or would you, expect to make to dealers? _____
3. State the approximate number of dealers you expect to serve _____. Give the geographical area in which they are located:
   _____
4. Will you be in a position to furnish or provide field or veterinary service in any case where the virulence or potency of serum and virus sold by you is questioned? _____ State the means to be used: _____
   _____
5. State the approximate number of wholesale houses that are located in your city, and which handle products other than serum and virus: _____
6. If you intend to solicit business, please indicate the percentage to:
   (a) Veterinarians _____
   (b) County farm bureaus _____
   (c) Retail drug stores _____
   (d) Lay-vaccinators _____
   (e) U. S. Licensed Stockyards Consumers _____
   (f) Others (state) _____

TRANSPORTATION FACILITIES

1. What is the population of the city where your place of business is located? _____
2. Describe airline facilities:
   (a) Names of airlines _____
   (b) Frequency of flights carrying shipments _____
   (c) Direction of operation _____
3. Describe railroad facilities:
   (a) Names of railroads _____
   (b) Frequency of operation _____
   (c) Direction of operation _____
4. Describe bus line or truck line facilities for shipping serum and virus:
   (a) Name of lines _____
   (b) Frequency of operation _____
   (c) Direction of operation _____
5. Is your present location within city limits? _____
6. Do you operate from your home? _____ From a regular office? _____
7. Do you share an office with any other firm, agency, or individual? _____ If so, explain: _____

Give below any other information that would be of assistance to the Control Agency in making a proper determination (reason for desiring this classification, etc.): _____

Have you read the Marketing Order, and do you understand it? _____ Is it your opinion that you qualify as a wholesaler? _____

Would you be willing to come to a Control Agency meeting at your own expense? _____

All further information requested by the Control Agency for the purpose of determining the proper classification of the applicant will be furnished by the undersigned.

If the Control Agency finds the applicant should properly be classified as a handler, applicant agrees to assume all the obligations and responsibilities of a wholesaler, including the payment of assessments which may be levied against the undersigned by the Secretary of Agriculture pursuant to the approved Marketing Agreement and Order as amended.

Application fee of $25.00 is enclosed herewith. It is understood the fee will be returned to the undersigned if it is determined that the applicant does not qualify under the Marketing Agreement and Order as amended.

Firm Name _____
Official _____
(Signature and title)

On this _____ day of _____, 19____, before me, _____, a Notary Public, personally appeared _____, and first being duly sworn upon oath declares that he is an officer or employee of the aforesaid applicant, and that the information set forth herein is true and correct as he verily believes.

_____
Notary Public

My commission expires _____.

Opportunity is extended by the Control Agency to interested parties affected by or having an interest in the abovementioned amendment to submit written data, views, or arguments in connection with the aforesaid amendment. Such data, views, or arguments shall be filed with the Executive Secretary of the Control Agency, 512 Porter Building, Kansas City, Missouri, not later than 15 days after the publication of this notice in the FEDERAL REGISTER. All documents should be filed in quadruplicate.

Dated this 3d day of November 1951.

[SEAL] CONTROL AGENCY,
R. M. YOUNG,
Chairman.

[F. R. Doc. 51-15185; Filed, Dec. 21, 1951; 8:54 a. m.]

Production and Marketing Administration

[P. & S. Docket No. 1598]

JOE ALLISON STOCK YARDS, INC.

PETITION FOR MODIFICATION OF RATE ORDER

Pursuant to the provisions of the Packers and Stockyards Act, 1921, as amended (7 U. S. C. 181 et seq.), an order was issued on March 27, 1951, authorizing the respondent to file a new tariff establishing the rates and charges for stockyard services appearing in the tabulation below under the heading "Current Charges." That order became effective on April 2, 1951, and provided that it should remain in effect for a period of one year unless changed by further order during such period.

By a petition filed on December 7, 1951, respondent has requested an authorization to put into effect the rates and charges appearing under the heading "Proposed Charges" in the tabulation below:

CURRENT CHARGES

SELLING COMMISSIONS [1]

Hogs bringing $30 or below	$0.40
Hogs bringing over $30 up to $75	.65
Hogs bringing over $75	.85
Cattle, per head	1.75
Calves	.90
Sheep and lambs	.40
Springing cows	2.25
Bulls	2.25

On all livestock held in yards for more than 24 hours a feed charge of 25 cents per head, per day, will be assessed.

Charge for no sales:	*Per head*
Cattle (400 pounds and over)	$0.88
Calves (under 400 pounds)	.45
Hogs	.35
Sheep and lambs	.20

FEED

Hay by the bale	$1.50
Corn per bushel including cost of feeding	2.10

[1] The current charges do not provide for separate yardage charges.

PROPOSED CHARGES

SELLING COMMISSIONS

	Commission	Yardage
Hogs bringing $30 or below	$0.40	0
Hogs bringing over $30 up to $75	.65	0
Hogs bringing over $75	.85	0
Cattle, per head (300 pounds and over)	1.00	$0.75
Calves, per head (under 300 pounds)	.75	.25
Sheep and lambs	.25	.15
Springing cows	1.50	1.00
Bulls	1.50	1.00
Cattle—special sales—(4-H and FFA Club sales, pure bred and registered sales)	3.00	0
Hogs—special sales—(4-H and FFA Club sales, pure bred and registered shows and sales)	1.00	0

On livestock held in yards for more than 24 hours, a feed charge of 25 cents per head, per day, will be assessed.

Charge for no sales:	*Per head*
Cattle (300 pounds and over)	$0.88
Calves (under 300 pounds)	.45
Hogs	.35
Sheep and lambs	.20

FEED

All feed charged for at cost to the petitioner per hundred pounds or per bale, plus 70 cents.
Corn, per hundredweight, cost plus 70 cents.
Hay, per bale, cost plus 70 cents.
Dairy feed, per hundredweight, cost plus 70 cents.
Straw, per bale, cost plus 70 cents.

If authorized, the proposed rates and charges will produce additional revenue for the respondent and increase the cost of marketing livestock. It appears, therefore, that this notice of the filing of the petition and its contents should be given to the public.

All interested persons who desire to be heard in the matter shall notify the Hearing Clerk, United States Department of Agriculture, Washington 25, D. C., within 15 days following the publication of this notice.

Done at Washington, D. C., this 19th day of December 1951.

[SEAL] KATHERINE L. MASON,
Hearing Clerk.

[F. R. Doc. 51-15182; Filed, Dec. 21, 1951; 8:53 a. m.]

[7 CFR Part 966]

[Docket No. AO 164]

REGULATING HANDLING OF ORANGES GROWN IN CALIFORNIA OR ARIZONA

CONSIDERATION OF TERMINATION OF PROVISIONS OF ORDER NO. 66, AS AMENDED

Notice is hereby given, in accordance with the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.), and section 4 of the Administrative Procedure Act (60 Stat. 237; 5 U. S. C. 1001 et seq.), that consideration is being given to a proposal that Order No. 66, as amended (7 CFR Part 966) be terminated. The termination of the aforesaid order was proposed in a petition submitted by the Placentia Mutual Orange Association of Placentia, California, on behalf of itself and 42 other signers, and an amendment to the petition submitted on behalf of two additional signers.

On October 15, 1951, an order (16 F. R. 10661) was issued by the Secretary of Agriculture directing that a referendum be conducted among the producers who, during the period beginning November 1, 1950, and ending October 31, 1951, both dates inclusive (which period was determined to be a representative period for the purpose of such referendum) were engaged, in the State of California or Arizona, in the production of oranges for market to determine whether the requisite number of such producers favor the termination of the said order, as amended. Determination and announcement of the time of commencement and termination of the period of the referendum will be made by the Field Representative of the Fruit and Vegetable Branch, Production and Marketing Administration, at Los Angeles, California.

In addition to the foregoing referendum and to afford handlers and other interested parties, as well as producers, opportunity to participate in the pro-

posed rule making, all such persons who desire to submit written data, views, or arguments for consideration in connection with the aforesaid proposal to terminate Order No. 66, as amended, should do so by filing them in quadruplicate with the Director of the Fruit and Vegetable Branch, Production and Marketing Administration, United States Department of Agriculture, Room 2077, South Building, Washington 25, D. C., not later than the close of business on January 15, 1952.

Issued at Washington, D. C., this 19th day of December 1951.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 51-15183; Filed, Dec. 21, 1951; 8:53 a. m.]

DEPARTMENT OF LABOR

Wage and Hour Division

[29 CFR Ch. V]

PUERTO RICO; SPECIAL INDUSTRY COMMITTEE NO. 11

NOTICE OF PUBLIC HEARING ON MINIMUM WAGE RECOMMENDATIONS FOR CERTAIN INDUSTRIES

In conformity with sections 5 and 8 of the Fair Labor Standards Act of 1938, as amended (52 Stat. 1060 as amended; 29 U. S. C., and Sup., 201 et. seq.), and in accordance with § 511.11 of the regulations issued pursuant thereto (29 CFR Part 511), notice is hereby given to all interested persons that a public hearing will be held beginning on January 22, 1952 at 10:00 a. m., in Room 412, New York Department Store Building, Stop 16½, Ponce de Leon Avenue, Santurce, Puerto Rico, for the purpose of receiving evidence to be considered by Special Industry Committee No. 11 for Puerto Rico in recommending minimum wage rates for employees in the industries in Puerto Rico hereinafter enumerated.

Special Industry Committee No. 11 for Puerto Rico was created by Administrative Order No. 417, to be published in the FEDERAL REGISTER on December 22, 1951. It is charged, in accordance with the provisions of the Fair Labor Standards Act of 1938, as amended, and regulations promulgated thereunder, with the duty of investigating conditions in the following industries in Puerto Rico, as defined in said administrative order: The leaf tobacco industry; construction, business service, motion picture, and miscellaneous industries; rubber, straw, hair and related products industry; hooked rug industry; chemical, petroleum, and related products industries; and lumber and wood products industry.

The Committee is further charged with the duty of recommending to the Administrator the highest minimum wage rates (not in excess of 75 cents per hour) for all employees in Puerto Rico in the industries cited above who within the meaning of said act are "engaged in commerce or in the production of goods for commerce," excepting employees exempted by the provisions of section 13 (a) and employees coming under the provisions of section 14, which, having due regard to economic and competitive conditions, will not substantially curtail employment in such industries and will not give any industry in Puerto Rico a competitive advantage over any industry in the United States outside of Puerto Rico. Before any minimum wage rates recommended by the Committee are made effective, a public hearing will be held pursuant to section 8 of the act, at a time and place to be announced by the Administrator and at which all interested persons will have an opportunity to be heard.

Any person who, in the opinion of the Committee or its duly authorized subcommittee, has a substantial interest in the proceeding and is prepared to present material pertinent to the question under consideration, may appear on his own behalf or on behalf of any other person. Persons wishing to appear are requested to file with James J. Johnson, Territorial Director of the Wage and Hour Division, Post Office Box 9061, Santurce 29, Puerto Rico, not later than January 15, 1952, a notice of intention to appear. A copy of such notice must also be filed by such persons with the Administrator of the Wage and Hour Division, United States Department of Labor, Washington 25, D. C., on or before the same date. The notice of intention to appear should contain the following information:

1. The name and address of the person appearing.

2. If he is appearing in a representative capacity, the name and address of the person or persons whom, or the organization which, he is representing.

3. The approximate length of time which his presentation will consume.

All testimony will be taken under oath and subject to reasonable cross-examination by any interested person present. Testimony so received will be offered as evidence at the public hearing to be held on such minimum wage recommendations as Special Industry Committee No. 11 for Puerto Rico may make.

Written statements of persons who cannot appear personally will be considered by the Committee provided that such statements are sworn and that at least 12 copies thereof are received not later than January 22, 1952 at the Wage and Hour Division of the United States Department of Labor, Room 412, New York Department Store Building, Stop 16½ Ponce de Leon Avenue, Santurce 29, Puerto Rico. Any person appearing at the hearing who offers written material must submit at least 12 copies thereof.

Signed at San Juan, Puerto Rico, this 14th day of December 1951.

ANTONIO J. COLORADO,
Chairman, Special Industry Committee No. 11 for Puerto Rico.

[F. R. Doc. 51-15137; Filed, Dec. 21, 1951; 8:48 a. m.]

[29 CFR Part 525]

EMPLOYMENT OF HANDICAPPED CLIENTS IN SHELTERED WORKSHOPS

NOTICE OF PROPOSED RULE MAKING

Pursuant to section 14 of the Fair Labor Standards Act of 1938, as amended, the Administrator has heretofore issued regulations (29 CFR Part 525) governing the employment of handicapped clients in sheltered workshops at wages lower than the minimum wage applicable under section 6 of the act.

The regulations contained in this part have been reexamined in the light of administrative experience and the Advisory Committee on Sheltered Workshops has been consulted and its views have been obtained. All relevant information available indicates that it is necessary, in order to prevent curtailment of opportunities for employment of handicapped workers in sheltered workshops, to revise the regulations contained in this part in order to clarify the standards applicable to the employment of such workers under the regulations and to make the procedures provided therein conform to administrative experience.

Accordingly, notice is hereby given pursuant to the Administrative Procedure Act (60 Stat. 237; 5 U. S. C. 1001) that the Administrator of the Wage and Hour Division, United States Department of Labor, proposes to revise this part as hereinafter set forth. Prior to final adoption of the revised regulations, consideration will be given to any data, views or arguments pertaining thereto which are submitted in writing to the Administrator of the Wage and Hour Division, United States Department of Labor, Washington 25, D. C., within 15 days from publication of this notice in the FEDERAL REGISTER.

Sec.

AUTHORITY: §§ 525.1 to 525.15 issued under sec. 11, 14, 52 Stat. 1066, 1068; 29 U. S. C. 211, 214.

§ 525.1 *Definitions.* As used in this part:

(a) "Sheltered workshop" or "workshop" means a charitable organization or institution conducted not for profit, but for the purpose of carrying out a recognized program of rehabilitation for individuals whose earning capacity is impaired by age or physical or mental deficiency or injury, and of providing such individuals with remunerative employment or other occupational rehabilitating activity of an educational or therapeutic nature.

(b) "Handicapped client" or "client" means an individual whose earning capacity is impaired by age or physical or mental deficiency or injury, and who is being served in accordance with the recognized rehabilitation program of a sheltered workshop within the facilities of

such agency or in or about the home of a client.

§ 525.2 *Advisory Committee on Sheltered Workshops.* (a) The Advisory Committee on Sheltered Workshops as constituted by Administrative Order No. 405 and subsequent orders shall advise and make recommendations to the Administrator concerning the administration and enforcement of this part and the need for amendments of the same from time to time and for such other purposes as may be desired by the Administrator.

(b) The Administrator or his authorized representative shall notify the Advisory Committee on Sheltered Workshops, through a member designated by the Committee, prior to the denial or cancellation of any certificate under §§ 525.5, 525.7 or 525.11 and shall afford the committee 15 days, or such additional time as the Administrator may allow, to present its views. The Administrator or his authorized representative shall also afford the Committee an opportunity to present its views in connection with any petition for review filed under § 525.12, any hearing held under § 525.13, or any petition for amendment of this part filed under § 525.15.

§ 525.3 *Application for special certificate.* (a) Application may be filed by any sheltered workshop with the appropriate Regional Office of the Wage and Hour and Public Contracts Divisions, United States Department of Labor, for a special certificate permitting the payment of wages lower than the minimum wage required under section 6 of the Fair Labor Standards Act of 1938, as amended, to handicapped clients engaged in interstate commerce or in the production of goods for interstate commerce. Application forms may be obtained from the appropriate Regional Office of the Wage and Hour and Public Contracts Divisions.

(b) The applicant shall set forth in his application, among other things, a description of the types of handicapped clients accepted by the sheltered workshop, a description of the types of work and the rehabilitation services offered by the workshop, and the earnings of each handicapped client who is unable to earn the minimum required under section 6 of the Fair Labor Standards Act. The application shall be signed by a duly authorized official of the workshop.

§ 525.4 *Factors for consideration.* The following factors may be considered by the Administrator or his authorized representative in determining the necessity of issuing a special certificate and the conditions to be specified therein:

(a) The present and previous earnings of handicapped clients of the workshop;

(b) The general nature and extent of the handicaps of clients served by the workshop;

(c) The wages of non-handicapped employees employed in private industry engaged in work comparable to that performed in the workshop;

(d) The cost, value, duration, and types of rehabilitative, medical, educational, therapeutic, and social work services given to handicapped clients;

(e) The tuition, fees, or other charges made by agencies other than workshops for similar types of services;

(f) The extent to which handicapped clients, other individuals, governmental agencies, or other organizations may pay dues, fees, or other monies to the workshop;

(g) The extent to which clients share, through services or wages, in the receipts for work done in the workshop;

(h) The extent to which the handicapped clients may also be learners or otherwise inexperienced;

(i) Whether there exists any workshop-customer arrangement which constitutes an unfair method of competition in commerce and which tends to spread or perpetuate substandard wage levels.

§ 525.5 *Issuance of special certificate.* (a) If the application and other available information indicate that the applicant is a sheltered workshop within the meaning of § 525.1 (a), and that the clients of the workshop are paid commensurate with their productivity at the prevailing rates in the vicinity in regular commercial industry maintaining approved labor standards for the type of work being performed, the Administrator or his authorized representative, to the extent necessary in order to prevent curtailment of opportunities for employment, shall issue a special certificate authorizing the employment of handicapped clients under the terms and conditions set forth therein, at wages lower than the minimum required under section 6 of the Fair Labor Standards Act. Otherwise he shall deny a special certificate.

(b) A special certificate may be issued for an individual handicapped client, a division of the workshop, the entire workshop, or any combination thereof.

§ 525.6 *Terms of special certificate.* (a) A special certificate shall specify the terms and conditions under which it is granted.

(b) A special certificate shall apply to every handicapped client of the sheltered workshop, or division thereof, for which a special certificate is granted.

(c) A special certificate shall be effective for a period to be designated by the Administrator or his authorized representative. Clients may be paid subminimum wages only during the effective period of a special certificate.

(d) A special certificate may provide a minimum wage rate below which a client may not be paid during a specified period, designated as "evaluation period", to determine a client's capacities in relation to his disabilities. Such rate may apply during the evaluation period specified to a client who has never previously been accepted by the workshop, or to a client who has returned to the workshop after such period of separation as would require reevaluation. The same minimum wage rate may also apply, if so provided in the special certificate, to an additional period or periods, designated as "training period(s)", to allow for job-training. Such rate may apply during the training period(s) specified to a client who has never previously worked in the workshop, to a client who is transferred to a job in the workshop in which he has never previously worked, or to a client who has returned to the workshop after such period of separation as would require retraining.

(e) A special certificate may provide a minimum wage rate for the workshop or minimum wage rates for divisions of the workshop below which a client may not be paid following completion of the specified evaluation and training periods, unless a lower special individual wage rate has been authorized in such special certificate for a client who is unable to earn the workshop or applicable division minimum wage rate.

(f) The wage rates paid clients working at piece rates shall not be less than the piece rates paid non-handicapped employees in the same work in the vicinity in regular commercial industry maintaining approved labor standards. The wage rates paid clients working at time rates shall be based on the prevailing rates in the vicinity in regular commercial industry maintaining approved labor standards, taking into account the type, quality, and quantity of the work produced by the client. In no instance, however, shall wage rates be less than the minimum rate(s) specified in the special certificate as provided in paragraphs (d) and (e) of this section.

(g) Clients of the workshop shall be paid not less than time and one-half the regular rate for all hours over forty worked in the workweek, as provided in the Fair Labor Standards Act.

(h) The terms of any special certificate may be amended for cause upon request of the sheltered workshop or handicapped client or upon the initiative of the Administrator or his authorized representative.

§ 525.7 *Renewal of special certificate.* (a) Application may be filed for renewal of any special certificate.

(b) If an application for renewal has been properly filed prior to the expiration date of a special certificate, the certificate shall remain in effect until the application for renewal has been granted or denied.

(c) Handicapped clients may be paid subminimum wages after notice that the application for renewal has been denied, if review of such denial is requested in accordance with § 525.12: *Provided, however,* That if the denial is affirmed on review, the sheltered workshop shall reimburse any person covered by the special certificate in an amount equal to the difference between the applicable minimum wage and any lower wage paid such person subsequent to the date as of which the renewal of the special certificate was denied.

§ 525.8 *Workers other than handicapped clients in sheltered workshops.* No individual who is not a handicapped client within the meaning of § 525.1 (b) shall be employed under any special certificate issued pursuant to this part at wages lower than the minimum required under section 6 of the Fair Labor Standards Act.

§ 525.9 *Industrial homework.* A special certificate issued pursuant to this

part authorizes a sheltered workshop to employ a handicapped client in or about a home, apartment, tenement, or room in a residential establishment, without the necessity of obtaining a special industrial homeworker's certificate for such client under regulations of the Administrator governing the employment of industrial homeworkers; nor shall it be necessary for a sheltered workshop to obtain a special industrial homeworker's certificate for clients working in or about a home, apartment, tenement, or room in a residential establishment, who are earning the minimum required under section 6 of the Fair Labor Standards Act.

§ 525.10 *Records to be kept.* (a) Every sheltered workshop shall keep, maintain, and have available for inspection by the Administrator or his authorized representative at all times a record of the nature of each client's handicap, and in addition the records required under all of the applicable provisions of Part 516 of this chapter, except that any provisions pertaining to homeworker's handbooks shall not be applicable to clients of a sheltered workshop working in or about a home, apartment, tenement, or room in a residential establishment.

(b) Every sheltered workshop engaged in interstate commerce or in the production of goods for interstate commerce shall at all times post a poster, as prescribed by the Administrator, in a conspicuous place in the workshop where it may be observed readily by the handicapped clients and other workers in the workshop.

§ 525.11 *Cancellation of special certificate.* (a) The Administrator or his authorized representative may cancel any special certificate for cause. A special certificate may be cancelled (1) as of the date of issuance, if it is found that fraud has been exercised in obtaining the special certificate or in permitting a handicapped client to work thereunder; (2) as of the date of violation, if it is found that any of the provisions of the act or of the terms of the special certificate have been violated; or (3) as of the date of notice of cancellation, if it is found that the special certificate is no longer necessary in order to prevent curtailment of opportunities for employment, or that the requirements of this part have not been complied with.

(b) If a petition for review is filed under § 525.12, the effective date of the cancellation shall be postponed until action is taken thereon: *Provided, however,* That if the cancellation order is affirmed on review, the workshop shall reimburse any person covered by the special certificate in an amount equal to the difference between the applicable minimum wage and any lower wage paid such person subsequent to the date as of which the special certificate was cancelled as provided in paragraph (a) of this section.

(c) Except in cases of wilfulness or those in which the public interest requires otherwise, before any special certificate shall be cancelled, facts or conduct which may warrant such action shall be called to the attention of the sheltered workshop in writing and it shall be afforded an opportunity to demonstrate or achieve compliance with all lawful requirements.

§ 525.12 *Review.* Any person aggrieved by any action of an authorized representative of the Administrator taken pursuant to this part may, within 15 days or such additional time as the Administrator may allow, file with the Administrator a petition for review of the action complained of setting forth grounds for seeking review. Such review, if granted, shall be made either by the Administrator or by an authorized representative who took no part in the action under review and all interested parties shall be afforded an opportunity to present their views.

§ 525.13 *Submission of information, investigations, and hearings.* The Administrator or his authorized representative may require at any time the submission of such information, other than that specified elsewhere in this part, as is deemed appropriate, or may conduct an investigation, which may include a public hearing, prior to taking any action pursuant to this part. Interested persons shall be given notice of any such hearing by publication in the FEDERAL REGISTER or by mail and shall be afforded an opportunity to present their views.

§ 525.14 *Relation to other laws.* Nothing contained in this part shall be construed as authorizing any act that is contrary to any Federal or State law or municipal ordinance.

§ 525.15 *Amendment of this part.* The Administrator may at any time upon his own motion or upon written request of any interested person setting forth reasonable ground therefor, and after opportunity has been given to interested persons to present their views, amend or revoke any of the terms of this part.

Signed at Washington, D. C., this 19th day of December 1951.

WM. R. MCCOMB,
Administrator.
Wage and Hour Division.

[F. R. Doc. 51-15135; Filed, Dec. 21, 1951; 8:48 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 25]

[Docket No. 10090]

PREPARATION AND FILING OF ANNUAL PATENT REPORTS

SUPPLEMENTARY NOTICE OF PROPOSED RULE MAKING

In the matter of promulgation of rules governing the preparation and filing of annual patent reports; Docket No. 10090.

This notice is supplementary to the notice released by the Commission on November 29, 1951, in the above rule making proceedings.

It is requested that each person filing comments pursuant to the notice released November 29, 1951, include the following information:

(1) The total number of patents which the party reporting currently owns or has the right to sublicense which are deemed to be within the proposed rule, and the total number of such patents which will likely be added by the second annual report under the proposed rule.

(2) The total number of agreements, copies of which must be filed with the first report under the proposed rule, and an approximation of the total number of such agreements which would likely be added by the second annual report under the proposed rule.

Adopted: December 12, 1951.

Released: December 13, 1951.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 51-15101; Filed, Dec. 21, 1951; 8:45 a. m.]

NOTICES

DEPARTMENT OF COMMERCE

Office of Under Secretary of Commerce for Transportation

CIVIL AERONAUTICS ADMINISTRATOR AND MARITIME ADMINISTRATOR

ADMINISTRATION OF TRANSPORTATION ORDERS

1. *Purpose.* The purpose of this notice is to provide for the administration of Transportation Orders T-1 and T-2 (15 F. R. 8777; 15 F. R. 9145; and 15 F. R. 9063), and of any successive orders or amendments, under the authority assigned to the Secretary of Commerce by Executive Order 10161, Executive Order 10200 (and Defense Production Administration Delegation No. 1, as amended), and Executive Order 10219, and delegated to the Under Secretary for Transportation (16 F. R. 8189).

2. *Assignment of responsibility and authority.* The Civil Aeronautics Administrator and the Maritime Administrator are hereby assigned responsibility for the administration, including enforcement thereof, of Transportation Orders T-1 and T-2, and any successive orders or amendments, as they apply to the shipment and transportation of goods by air and by water, respectively.

To the extent not previously delegated to each of them, there is hereby delegated to the Civil Aeronautics Administrator and to the Maritime Administrator the powers, authorities, and discretion conferred upon the Secretary

of Commerce by Executive Order 10161, Executive Order 10200 (and Defense Production Administration Delegation No. 1, as amended), and Executive Order 10219 insofar as is required for the performance of the responsibilities assigned above.

The Civil Aeronautics Administrator and the Maritime Administrator each may, by redelegation, exercise the powers, authorities and discretion conferred upon him by this notice through such officers and employees of the Department of Commerce in such manner as he may determine, and may authorize such redelegations by such officers and employees as he may deem appropriate.

3. *Effect on other notices.* Any other notices or parts thereof, the provisions of which are inconsistent or in conflict with the provisions of this notice, are hereby amended or superseded accordingly. However, all orders, regulations, ruling, certificates, directives, and other actions heretofore issued or taken under the authorities delegated herein and in effect immediately prior to the effective date of this notice shall remain in full force and effect until hereafter superseded, amended or revoked under proper authority.

4. *Effective date.* This notice is effective December 17, 1951.

CHARLES SAWYER,
Secretary of Commerce.

[F. R. Doc. 51-15096; Filed, Dec. 21, 1951; 8:45 a. m.]

DEPARTMENT OF LABOR

Wage and Hour Division

[Administrative Order 417]

SPECIAL INDUSTRY COMMITTEE NO. 11 FOR PUERTO RICO

APPOINTMENT TO INVESTIGATE CONDITIONS AND RECOMMEND MINIMUM WAGES

1. Pursuant to authority under the Fair Labor Standards Act of 1938, as amended (52 Stat. 1060, as amended; 29 U. S. C., and Sup., 201 et seq.), I, Wm. R. McComb, Administrator of the Wage and Hour Division, United States Department of Labor, do hereby appoint and convene a special industry committee for Puerto Rico composed of the following representatives:

FOR THE PUBLIC

Antonio J. Colorado, Rio Piedras, P. R., Chairman.
Simon Rottenberg, Rio Piedras, P. R.
Walter H. Koehn, New York, N. Y.

FOR THE EMPLOYERS

Belarmino Suarez, Caguas, P. R.
Vesta S. V'Soske, Vega Baja, P. R.
Willis Hall, Detroit, Mich.

FOR THE EMPLOYEES

Benigno Ortiz, Santurce, P. R.
David Sternback, San Juan, P. R.
Walter J. Mason, Washington, D. C.
Lewis J. Clark, Chicago, Ill.

Walter J. Mason and Lewis J. Clark shall serve as members of the committee in such order as the Administrator shall direct, but they shall not serve concurrently.

2. The special industry committee herein created, in accordance with the provisions of the Fair Labor Standards Act, as amended, and regulations promulgated thereunder (29 CFR Part 511), shall meet beginning on January 22, 1952, at 10:00 a. m. in Room 412, New York Department Store Building, Stop 16½ Ponce de Leon Avenue, Santurce, San Juan, Puerto Rico, and shall proceed to investigate conditions in the industries in Puerto Rico hereinafter enumerated and recommend to the Administrator minimum wage rates for all employees in said industries in Puerto Rico, who within the meaning of said act are "engaged in commerce or in the production of goods for commerce" excepting employees exempted by virtue of the provisions of section 13 (a) and employees coming under the provisions of section 14. Minimum wage rates recommended by the committee shall be the highest rates (not in excess of 75 cents per hour) which it determines will not substantially curtail employment in such industries and will not give any industry in Puerto Rico a competitive advantage over any industry in the United States outside of Puerto Rico.

Said special industry committee shall investigate conditions respecting, and recommend minimum wage rates for, the employees in the leaf tobacco industry, the construction, business service, motion picture, and miscellaneous industries, the rubber, straw, hair and related products industry, the hooked rug industry, the chemical, petroleum, and related products industries, and the lumber and wood products industry.

3. For the purpose of this order these industries are defined as follows:

Leaf tobacco industry. The processing of leaf tobacco including, but not by way of limitation, the grading, fermenting, stemming, chopping, packing, storing, drying and handling of tobacco prior to use in the manufacture of cigars or other finished tobacco products: *Provided, however,* That this definition shall not include the stemming of cigar wrappers or binders by a cigar manufacturer.

Construction, business service, motion picture, and miscellaneous industries. Construction of buildings, structures and other improvements (including designing; reconstruction; alteration; repair and maintenance; assembling and installation at the construction site of machinery and other facilities; and dismantling, wrecking or other demolition); the production and distribution of motion pictures; the production of photographs and blueprints; the activity carried on by any business or nonprofit enterprise performing real estate, professional, advertising education or research activities, or engaged in the furnishing of other facilities or services to industrial or commercial establishments or the consumer; and all activities which are not included in the definitions of other industries in Puerto Rico for which wage orders have been issued: *Provided, however,* That the definition shall not include (1) construction carried on by persons, for their own use or occupancy, who are principally engaged in another industry, or (2) any activity included in the definition of any industry in Puerto Rico for which a wage order has been issued.

Rubber, straw, hair and related products industry. The manufacture of all products made wholly or chiefly of rubber and the manufacture of all products (except hand-made or hand-woven) made wholly or chiefly of straw, raffia, sisal, maguey, palm leaves, rushes, grasses, hair, hair bristles, feathers and similar materials: *Provided, however,* That this definition shall not include any product or activity included in the definition of the handicraft products industry, the needlework and fabricated textile products industry, the men's and boys' clothing and related products industry, the textile and textile products industry, the button, buckle, and jewelry industry, the decorations and party favors industry, the artificial flower industry, or the shoe manufacturing and allied industries, as defined in the wage orders for those industries in Puerto Rico.

Hooked rug industry. The manufacture of hooked or punched rugs and carpeting.

Chemical, petroleum, and related products industries. The manufacture or packaging of chemicals, drugs, medicines (other than food), toilet preparations, cosmetics and related products; the mining (or other extraction) or processing of any minerals used in the production of the foregoing; and the mining or other extraction of petroleum, coal or natural gases and the manufacture of products therefrom.

It includes, but without limitation, heavy, industrial, and fine chemicals; basic plastic materials; salt; paints, varnishes, colors, dyes, and inks; vegetable and animal oils (except the refining into edible oils); drugs, medicines and toilet preparations; insecticides and fungicides; soap and glycerin; rayon and other synthetic filaments; wood distillation and naval stores; fertilizers; cleaning and polishing preparations; glue and gelatin; grease and tallow; fire-works and pyrotechnics; candles; gasoline, fuel and lubricating oils, and other petroleum products; coke-oven products; and fuel briquettes of any materials: *Provided, however,* That the definition shall not include any product or activity included in the alcoholic beverage and industrial alcohol industry (as defined in the wage order for that industry in Puerto Rico), or any activity performed by a company in its capacity as a public utility distributing gas or water.

Lumber and wood products industry. Logging and the manufacture of all products made from lumber, wood and related materials, including, but without limitation, sawmill and planing and plywood mill products; furniture and office and store fixtures; boxes and containers; cooperage; window and door screens and blinds; caskets and coffins; matches; wood preserving; trays; bowls and other woodenware; excelsior, cork, bamboo, rattan, and willowware articles such as hampers, baskets, coasters, and table

pads; and charcoal: *Provided, however,* That the definition shall not include any product or activity included in the rubber, straw, hair and related products industry (as defined in this order), or in the metal, plastics, machinery, instrument, transportation equipment, and allied industries, the handicraft products industry, the paper, paper products, printing, publishing, and related products industry, the construction, business service, motion picture, and miscellaneous industries; or the button, buckle, and jewelry industry (as defined in the wage orders for these industries in Puerto Rico).

Signed at Washington, D. C., this 12th day of December 1951.

WM. R. MCCOMB,
Administrator,
Wage and Hour Division.

[F. R. Doc. 51-15136; Filed, Dec. 21, 1951; 8:48 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. 4228 et al.]

PAN AMERICAN WORLD AIRWAYS, INC., AND TRANS WORLD AIRLINES, INC.; PHILADELPHIA-TRANSATLANTIC SERVICE CASE

NOTICE OF ORAL ARGUMENT

In the matter of the temporary suspension of transatlantic service by Pan American World Airways, Inc., and Trans World Airlines, Inc., at Philadelphia, Pennsylvania.

Notice is hereby given, pursuant to the provisions of the Civil Aeronautics Act of 1938, as amended, that oral argument in the above-indicated proceeding is assigned to be held on January 17, 1952, at 10:00 a. m., e. s. t., in Room 5042, Commerce Building, Fourteenth Street and Constitution Avenue NW., Washington, D. C., before the Board.

Dated at Washington, D. C., December 19, 1951.

By the Civil Aeronautics Board.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F. R. Doc. 51-15173; Filed, Dec. 21, 1951; 8:53 a. m.]

[Docket No. 3605 et al.]

LEHMAN BROTHERS; INTERLOCKING RELATIONSHIPS INVESTIGATION

NOTICE OF ORAL ARGUMENT

In the matter of interlocking relationships under section 409 (a) of the Civil Aeronautics Act of 1938, as amended, involving certain partners of the firm of Lehman Brothers.

Notice is hereby given, pursuant to the provisions of the Civil Aeronautics Act of 1938, as amended, that oral argument in the above-indicated proceeding is assigned to be held on January 15, 1952, at 10:00 a. m., e. s. t. in Room 5042, Commerce Building, Fourteenth Street and Constitution Avenue NW., Washington, D. C., before the Board.

Dated at Washington, D. C., December 19, 1951.

By the Civil Aeronautics Board.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F. R. Doc. 51-15172; Filed, Dec. 21, 1951; 8:53 a. m.]

[Docket No. SR-2089]

ALFRED F. TUCKER

NOTICE OF ORAL ARGUMENT

In the matter of C. F. Horne, Administrator of Civil Aeronautics, complainant v. Alfred F. Tucker, respondent.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly section 1004 (a) of said act, that oral argument in this case is assigned to be heard January 21, 1952, at 10:00 a. m. in Room 5042, Commerce Building, Fourteenth Street and Constitution Avenue NW., Washington, D. C., before the Board.

Dated at Washington, D. C., December 18, 1951.

By the Civil Aeronautics Board.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F. R. Doc. 51-15171; Filed, Dec. 21, 1951; 8:53 a. m.]

ECONOMIC STABILIZATION AGENCY

Office of Price Stabilization

[Region II, Redelegation of Authority 16]

DIRECTORS OF DISTRICT OFFICES, REGION II

REDELEGATION OF AUTHORITY TO ACT UNDER CPR 101

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. 2, pursuant to delegation of authority No. 38 (16 F. R. 12299), this Redelegation of Authority is hereby issued.

1. Authority is hereby redelegated to the Directors of the New York City, Buffalo, Rochester, Syracuse and Albany, New York and the Newark and Trenton, New Jersey, offices of Price Stabilization to act under sections 7, 21 (a), 21 (b), 42 (a), 42 (b), 46 (c), and 49 (a) of CPR 101.

This redelegation of authority is effective December 20, 1951.

JAMES G. LYONS,
Director of Regional Office II.

DECEMBER 20, 1951.

[F. R. Doc. 51-15241; Filed, Dec. 20, 1951; 4:46 p. m.]

[Region II, Redelegation of Authority 17]

DIRECTORS OF DISTRICT OFFICES, REGION II

REDELEGATION OF AUTHORITY TO ACT ON APPLICATIONS FOR ADJUSTED CEILING PRICES UNDER GENERAL OVERRIDING REGULATION 21

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. 2, pursuant to delegation of authority No. 39 (16 F. R. 12376), this redelegation of authority is hereby issued.

1. Authority is hereby redelegated to the Directors of the New York City, Buffalo, Rochester, Syracuse and Albany, New York and the Newark and Trenton, New Jersey, offices of Price Stabilization to process in the respects indicated herein applications for adjusted ceiling prices under GOR 21 by Manufacturers whose net sales for their last complete fiscal year ending not later than July 31, 1951, were not more than $1,000,000:

(a) To direct applicants to broaden the scope of their applications as provided in section 5 (d) of GOR 21.

(b) To approve, disapprove, specify an approved method, or request additional information where applicants submit proposed methods for determining the total unit cost of base-period commodities, as provided in section 8 (f) of GOR 21.

(c) To approve, disapprove or request additional information on applications for alternate methods for computing proposed ceiling prices as provided by section 15 of GOR 21.

(d) To review applications for adjusted ceiling prices, making such investigation of the facts involved, requiring such supplementary information and holding such hearings and conferences as are deemed appropriate for the proper disposition of the application as provided by section 16 of GOR 21.

(e) To issue letter orders as provided by section 16 of GOR 21 establishing or revising ceiling prices: (1) For the commodities covered by applications for adjusted ceiling prices; (2) for other commodities sold by applicants not covered by applications for adjusted ceiling prices; (3) for commodities introduced since the filing date of applications; (4) for commodities introduced after the issuance date of the letter orders.

2. Actions taken in conformance with this delegation of authority have the same effect as actions taken by the Director of Price Stabilization.

This redelegation of authority is effective December 20, 1951.

JAMES G. LYONS,
Director of Regional Office II.

DECEMBER 20, 1951.

[F. R. Doc. 51-15242; Filed, Dec. 20, 1951; 4:46 p. m.]

[Region II, Redelegation of Authority 18]

DIRECTORS OF DISTRICT OFFICES, REGION II

REDELEGATION OF AUTHORITY TO ISSUE AREA MILK PRICE REGULATIONS

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization No. II, pursuant to Delegation of Authority No. 41, (16 F. R. 12679), this redelegation of authority is hereby issued.

1. Authority is hereby redelegated to each of the District Directors of the Office of Price Stabilization in Region II to issue area milk price regulations ad-

justing ceiling prices in accordance with the provisions of Section 17 of Supplementary Regulations 63 to the General Ceiling Price Regulation within his district and to perform all other functions delegated to me by Delegation of Authority 41.

This redelegation shall take effect on December 20, 1951.

JAMES G. LYONS,
Regional Director of Region II.

DECEMBER 20, 1951.

[F. R. Doc. 51-15243; Filed, Dec. 20, 1951; 4:46 p. m.]

[Region IX, Redelegation of Authority 11]

DIRECTORS OF DISTRICT OFFICES, REGION IX

REDELEGATION OF AUTHORITY TO PROCESS STATEMENTS FILED PURSUANT TO SECTIONS 6 AND 12 OF CPR-92, AND TO APPROVE, DENY, OR REQUEST FURTHER INFORMATION CONCERNING, FILINGS MADE PURSUANT TO SECTION 42 (B) AND SECTION 42 (C) (5) AND (6) OF CPR-92

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, Region IX, pursuant to the provisions of Delegation of Authority No. 27, dated November 8, 1951 (16 F. R. 11468), this redelegation of authority is hereby issued.

Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stabilization, Region IX, to process statements filed under sections 6 and 12 of Ceiling Price Regulation 92, and to approve, deny, or request further information concerning, filings made pursuant to section 42 (b) or section 42 (c) (5) and (6) of Ceiling Price Regulation 92 and filings made pursuant to section 46 (b) of Ceiling Price Regulation 92.

This redelegation of authority shall take effect as of December 5, 1951.

M. A. BROOKS,
Acting Regional Director, Region IX.

DECEMBER 20, 1951.

[F. R. Doc. 51-15244; Filed, Dec. 20, 1951; 4:46 p. m.]

[Region IX, Redelegation of Authority 12]

DIRECTORS OF DISTRICT OFFICES, REGION IX

REDELEGATION OF AUTHORITY TO MODIFY, REVISE OR REQUEST FURTHER INFORMATION CONCERNING APPLICATIONS FILED UNDER THE PROVISIONS OF SECTION 14 (C) OF CPR 74

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, Region IX, pursuant to the provisions of Delegation of Authority 31, dated November 19, 1951 (16 F. R. 11752), this redelegation of authority is hereby issued.

Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stabilization, Region IX, to modify, revise, or request further information concerning applications filed pursuant to section 14 (c) of CPR 74.

This redelegation of authority shall take effect as of December 5, 1951.

M. A. BROOKS,
Acting Regional Director, Region IX.

DECEMBER 20, 1951.

[F. R. Doc. 51-15245; Filed, Dec. 20, 1951; 4:46 p. m.]

[Region IX, Redelegation of Authority 13]

DIRECTORS OF DISTRICT OFFICES, REGION IX

REDELEGATION OF AUTHORITY TO ACT UNDER CPR 74

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, Region IX, pursuant to the provisions of Delegation of Authority No. 32, dated November 23, 1951 (16 F. R. 11891), this redelegation of authority is hereby issued.

Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stabilization, Region IX, to act under sections 12, 43 (a) and (b), 44 (a) and (b), 45 (a) and (b), 46, 47, 49, 50 and 60 (c) of Ceiling Price Regulation 74.

This redelegation of authority shall take effect as of December 5, 1951.

M. A. BROOKS,
Acting Regional Director, Region IX.

DECEMBER 20, 1951.

[F. R. Doc. 51-15246; Filed, Dec. 20, 1951; 4:46 p. m.]

[Region IX, Redelegation of Authority 14]

DIRECTORS OF DISTRICT OFFICES, REGION IX

REDELEGATION OF AUTHORITY TO ACT ON APPLICATIONS FOR EXEMPTION FILED BY NON-PROFIT CLUBS UNDER THE PROVISIONS OF CPR 11

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, Region IX, pursuant to the provisions of Delegation of Authority No. 34, dated November 27, 1951 (16 F. R. 11979), this redelegation of authority is hereby issued.

1. *Authority to act under section 9 (e) of CPR 11.* Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stabilization, Region IX, to act on all applications for exemption under the provisions of section 9 (e) of CPR 11.

This redelegation of authority shall take effect as of December 5, 1951.

M. A. BROOKS,
Acting Regional Director, Region IX.

DECEMBER 20, 1951.

[F. R. Doc. 51-15247; Filed, Dec. 20, 1951; 4:47 p. m.]

[Region IX, Redelegation of Authority 15]

DIRECTORS OF DISTRICT OFFICES, REGION IX

REDELEGATION OF AUTHORITY TO ACT ON APPLICATIONS PERTAINING TO CERTAIN ITEMS OF SAUSAGE

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, Region IX, pursuant to the provisions of Delegation of Authority No. 35, dated November 28, 1951 (16 F. R. 12025), this redelegation of authority is hereby issued.

1. Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stabilization, Region IX, to request further information, pursuant to section 9 of Revised Supplementary Regulation 34, with respect to any ceiling price granted, reported or proposed pursuant to Supplementary Regulation 34, issued June 12, 1951, or to Revised Supplementary Regulation 34 and at any time to disapprove or revise, pursuant to section 9 of Revised Supplementary Regulation 34, any such granted, reported or proposed ceiling price in order to bring it in line with the general level of prices prevailing under Revised Supplementary Regulation 34.

2. The authority hereby redelegated is to be exercised concurrently with the Regional and the National Offices.

This redelegation of authority shall take effect as of December 5, 1951.

M. A. BROOKS,
Acting Regional Director, Region IX.

DECEMBER 20, 1951.

[F. R. Doc. 51-15248; Filed, Dec. 20, 1951; 4:47 p. m.]

[Region IX, Redelegation of Authority 16]

DIRECTORS OF DISTRICT OFFICES, REGION IX

REDELEGATION OF AUTHORITY TO ACT ON APPLICATIONS FOR ADJUSTED CEILING PRICES UNDER GENERAL OVERRIDING REGULATION 20

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, Region IX, pursuant to the provisions of Delegation of Authority No. 36, dated November 28, 1951, (16 F. R. 12025), this Redelegation of Authority is hereby issued.

1. Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stabilization, Region IX:

(a) To request further information from an applicant or grant or deny an application for adjusted ceiling prices made pursuant to General Overriding Regulation 20;

(b) To request further information from an applicant who is requested, pursuant to section 8 of General Overriding Regulation 20, permission to use different calendar periods from those stipulated in the regulation for determining his cost ratios or to disapprove the periods suggested or stipulate the periods which may be used;

(c) To request further information from an applicant, or to approve or disapprove proposed adjusted ceiling prices to particular classes of purchasers for which application has been made pursuant to section 10 of General Overriding Regulation 20.

(d) To disapprove, revise or modify ceiling prices proposed to be used or being used under General Overriding Regulation 20, or to direct the applicant to continue using the ceiling prices established for him under the applicable Office of Price Stabilization regulation until further notice.

This redelegation of authority shall take effect as of December 5, 1951.

M. A. BROOKS,
Acting Regional Director, Region IX.

DECEMBER 20, 1951.

[F. R. Doc. 51-15249; Filed, Dec. 20, 1951; 4:47 p. m.]

[Region X, Redelegation of Authority 7]

DIRECTORS OF DISTRICT OFFICES, REGION X

REDELEGATION OF AUTHORITY TO ACT ON PRICING AND REPORTS UNDER CPR 34

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. X, pursuant to Delegation of Authority No. 28 (16 F. R. 11703), this redelegation is hereby issued.

1. *Authority under section 3 (b) of Ceiling Price Regulation 34, as amended.* Authority is hereby redelegated to the Directors of the Little Rock, Arkansas; Tulsa, Oklahoma; Oklahoma City, Oklahoma; Shreveport, Louisiana; New Orleans, Louisiana; Lubbock, Texas; Fort Worth, Texas; Dallas, Texas; Houston, Texas; and San Antonio, Texas, District Offices of Price Stabilization to accept the reports correcting purely arithmetical errors under the provisions of section 3 (b) of Ceiling Price Regulation 34, as amended.

2. *Authority to act under sections 6, 7 and 8 of Ceiling Price Regulation 34, as amended.* Authority is hereby redelegated to the Directors of the Little Rock, Arkansas; Tulsa, Oklahoma; Oklahoma City, Oklahoma; Shreveport, Louisiana; New Orleans, Louisiana; Lubbock, Texas; Fort Worth, Texas; Dallas, Texas; Houston, Texas; and San Antonio, Texas, District Offices of Price Stabilization to accept reports, establish, approve or disapprove ceiling prices or to require further information under the provisions of sections 6, 7 and 8 of Ceiling Price Regulation 34, as amended.

3. *Authority to act under section 9 of Ceiling Price Regulation 34, as amended.* Authority is hereby redelegated to the Directors of the Little Rock, Arkansas; Tulsa, Oklahoma; Oklahoma City, Oklahoma; Shreveport, Louisiana; New Orleans, Louisiana; Lubbock, Texas; Fort Worth, Texas; Dallas, Texas; Houston, Texas; and San Antonio, Texas, District Offices of Price Stabilization to disapprove or to revise proposed or established ceiling prices under the provisions of section 9 of Ceiling Price Regulation 34, as amended.

4. *Authority to act under sections 18 (b) and 18 (c) of Ceiling Price Regulation 34, as amended.* Authority is hereby redelegated to the Directors of the Little Rock, Arkansas; Tulsa, Oklahoma; Oklahoma City, Oklahoma; Shreveport, Louisiana; New Orleans, Louisiana; Lubbock, Texas; Fort Worth, Texas; Dallas, Texas; Houston, Texas; and San Antonio, Texas, District Offices of Price Stabilization to require further information or to disapprove of statements filed under the provisions of sections 18 (b) and 18 (c) of Ceiling Price Regulation 34, as amended.

5. *Authority to act under section 19 (b) of Ceiling Price Regulation 34, as amended.* Authority is hereby redelegated to the Directors of the Little Rock, Arkansas; Tulsa, Oklahoma; Oklahoma City, Oklahoma; Shreveport, Louisiana; New Orleans, Louisiana; Lubbock, Texas; Fort Worth, Texas; Dallas, Texas; Houston, Texas; and San Antonio, Texas, District Offices of Price Stabilization to establish ceiling prices under section 19 (b) of Ceiling Price Regulation 34, as amended.

This redelegation of authority shall take effect as of December 9, 1951.

ALFRED L. SEELYE,
Director of Regional Office X.

DECEMBER 20, 1951.

[F. R. Doc. 51-15234; Filed, Dec. 20, 1951; 4:45 p. m.]

[Region X, Redelegation of Authority 8]

DIRECTORS OF DISTRICT OFFICES, REGION X

REDELEGATION OF AUTHORITY TO PROCESS REPORTS OF PROPOSED CEILING PRICES FOR SALES AT RETAIL BY RESELLERS PURSUANT TO SECTION 5 OF CPR 67

By vitrue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. X, pursuant to Delegation of Authority No. 22, (16 F. R. 10010), this redelegation of authority is hereby issued.

Authority is hereby redelegated to the Directors of the Little Rock, Arkansas; Tulsa, Oklahoma; Oklahoma City, Oklahoma; Shreveport, Louisiana; New Orleans, Louisiana; Lubbock, Texas; Fort Worth, Texas; Dallas, Texas; Houston, Texas; and San Antonio, Texas, District Office of Price Stabilization to approve, pursuant to section 5, CPR 67, a ceiling price for sales at retail proposed by a reseller under CPR 67, disapprove such a proposed ceiling price, establish a different ceiling price by order, or request further information concerning such a ceiling price.

This redelegation of authority shall take effect as of December 17, 1951.

ALFRED L. SEELYE,
Director of Regional Office X.

DECEMBER 20, 1951.

[F. R. Doc. 51-15235; Filed, Dec. 20, 1951; 4:45 p. m.]

[Region X, Redelegation of Authority 9]

DIRECTORS OF DISTRICT OFFICES, REGION X

REDELEGATION OF AUTHORITY TO PROCESS INITIAL REPORTS FILED BY CERTAIN RESTAURANT OPERATORS UNDER CPR 11

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. X, pursuant to Delegation of Authority No. 17 (16 F. R. 8158) this redelegation of authority is hereby issued.

1. Authority to act under section 6 of CPR 11. Authority is hereby redelegated to the Directors of the Little Rock, Arkansas; Tulsa, Oklahoma; Oklahoma City, Oklahoma; Shreveport, Louisiana; New Orleans, Louisiana; Lubbock, Texas; Fort Worth, Texas; Dallas, Texas; Houston, Texas; and San Antonio, Texas, District Offices of Price Stabilization, to process the initial reports filed under section 6 of CPR 11 and to revise food cost per dollar of sale ratio referred to in section 4 thereof.

This redelegation of authority shall take effect as of December 17, 1951.

ALFRED L. SEELYE,
Director of Regional Office X.

DECEMBER 20, 1951.

[F. R. Doc. 51-15236; Filed, Dec. 20, 1951; 4:45 p. m.]

[Region XI, Redelegation of Authority 16]

DIRECTORS OF ALL DISTRICT OFFICES, REGION XI

REDELEGATION OF AUTHORITY TO ACT ON APPLICATIONS FOR ADJUSTED CEILING PRICES UNDER CENTRAL OVERRIDING REGULATION 20

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, Region XI, pursuant to Delegation of Authority No. 36 (16 F. R. 12025), this redelegation of authority is hereby issued.

Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stabilization, Region XI:

1. To request further information from an applicant or grant or deny an application for adjusted ceiling prices made pursuant to General Overriding Regulation 20;

2. To request further information from an applicant who has requested, pursuant to section 8 of General Overriding Regulation 20 permission to use different calendar periods from those stipulated in the regulation for determining his cost ratios or to disapprove the periods suggested or stipulate the periods which may be used;

3. To request further information from an applicant, or to approve or disapprove proposed adjusted ceiling prices to particular classes of purchasers for which application has been made pursuant to section 10 of General Overriding Regulation 20.

4. To disapprove, revise or modify ceiling prices proposed to be used or being used under General Overriding

Regulation 20, or to direct the applicant to continue using the ceiling prices established for him under the applicable Office of Price Stabilization regulation until further notice.

This redelegation of authority shall take effect as of December 15, 1951.

GEORGE F. ROCK,
Regional Director.

DECEMBER 20, 1951.

[F. R. Doc. 51-15238; Filed, Dec. 20, 1951; 4:45 p. m.]

[Region X, Redelegation of Authority 10]

DIRECTORS OF DISTRICT OFFICES, REGION X

REDELEGATION OF AUTHORITY TO ACT ON APPLICATIONS FOR EXEMPTION FILED BY NON-PROFIT CLUBS UNDER THE PROVISIONS OF CPR 11

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. X, pursuant to Delegation of Authority No. 34 (16 F. R. 11979) this redelegation of authority is hereby issued.

Authority to act under section 9 (e) of CPR 11. Authority is hereby redelegated to the Directors of the Little Rock, Arkansas; Tulsa, Oklahoma; Oklahoma City, Oklahoma; Shreveport, Louisiana; New Orleans, Louisiana; Lubbock, Texas; Fort Worth, Texas; Dallas, Texas; Houston, Texas; and San Antonio, Texas, District Offices of Price Stabilization to act on all applications for exemption under the provisions of section 9 (e) of CPR 11.

This redelegation of authority shall take effect as of December 17, 1951.

ALFRED L. SEELYE,
Director of Regional Office X.

DECEMBER 20, 1951.

[F. R. Doc. 51-15237; Filed, Dec. 20, 1951; 4:45 p. m.]

[Region XI, Redelegation of Authority 17]

DIRECTORS OF ALL DISTRICT OFFICES, REGION XI

REDELEGATION OF AUTHORITY TO PROCESS REPORTS OF PROPOSED CEILING PRICES FOR SALES OF FARM EQUIPMENT PURSUANT TO SECTION 5 OF CPR 100

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, Region XI, pursuant to Delegation of Authority No. 37 (16 F. R. 12299), this redelegation of authority is hereby issued.

1. Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stabilization, Region XI, to approve, pursuant to section 5 of CPR 100, a ceiling price for sales of farm equipment proposed by a seller under CPR 100, disapprove such a proposed ceiling price, establish a different ceiling price by order, or request further information concerning such a ceiling price.

This redelegation of authority shall take effect as of December 15, 1951.

GEORGE F. ROCK,
Regional Director.

DECEMBER 20, 1951.

[F. R. Doc. 51-15239; Filed, Dec. 20, 1951; 4:45 p. m.]

[Region XI, Redelegation of Authority 18]

DIRECTORS OF ALL DISTRICT OFFICES, REGION XI

REDELEGATION OF AUTHORITY TO ACT ON APPLICATIONS FOR ADJUSTED CEILING PRICES UNDER GENERAL OVERRIDING REGULATION 21

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, Region XI, pursuant to Delegation of Authority No. 39 (16 F. R. 12376), this redelegation of authority is hereby issued.

1. Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stabilization, Region XI, to process in the respects indicated herein applications for adjusted ceiling prices under GOR 21 by manufacturers whose net sales for their last complete fiscal year ending not later than July 31, 1951, were not more than $1,000,000:

(a) To direct applicants to broaden the scope of their applications as provided in section 5 (d) of GOR 21.

(b) To approve, disapprove, specify an approved method, or request additional information where applicants submit proposed methods for determining the total unit cost of base-period commodities, as provided in section 8 (f) of GOR 21.

(c) To approve, disapprove or request additional information on applications for alternate methods for computing proposed ceiling prices as provided by section 15 of GOR 21.

(d) To review applications for adjusted ceiling prices, making such investigation of the facts involved, requiring such supplementary information and holding such hearings and conferences as are deemed appropriate for the proper disposition of the application as provided by section 16 of GOR 21.

(e) To issue letter orders as provided by section 16 of GOR 21 establishing or revising ceiling prices: (1) For the commodities covered by applications for adjusted ceiling prices; (2) for other commodities sold by applicants not covered by applications for adjusted ceiling prices; (3) for commodities introduced since the filing date of applications; (4) for commodities introduced after the issuance date of the letter orders.

2. Actions taken in conformance with this redelegation of authority have the same effect as actions taken by the Director of Price Stabilization.

This redelegation of authority shall take effect on December 20, 1951.

ALLEN MOORE,
Deputy Regional Director.

DECEMBER 20, 1951.

[F. R. Doc. 51-15240; Filed, Dec. 20, 1951; 4:45 p. m.]

Salary Stabilization Board

DRIVER-SALESMEN

NOTICE OF TRANSFER OF JURISDICTION

Whereas those outside salesmen commonly referred to as driver-salesmen are not occupationally identified with the management group, with which the Salary Stabilization Board is primarily concerned; and

Whereas it appears that the compensation of a substantial proportion of driver-salesmen is largely fixed by collective bargaining; and

Whereas it is desirable in the interest of effective stabilization of wages, salaries and other compensation pursuant to the Defense Production Act of 1950, as amended, that there be the greatest possible uniformity in the rules applicable to the compensation of a particular group of employees, jurisdiction over whom is divided between the Wage and Salary Stabilization Boards, and that in this instance this aim can best be achieved by a transfer of jurisdiction from the Salary Stabilization Board to the Wage Stabilization Board,

Now therefore be it resolved that the Salary Stabilization Board determines, subject to the concurrence of the chairman of the Wage Stabilization Board, that employees defined as driver-salesmen under the regulation issued pursuant to section 13 (a) of the Fair Labor Standards Act, as amended (29 CFR 541.505) be and they hereby are transferred to the jurisdiction of the Wage Stabilization Board.

Adopted by the Salary Stabilization Board on October 12, 1951.

R. B. ALLEN,
Chairman.

[F. R. Doc. 51-15302; Filed, Dec. 21, 1951; 10:46 a. m.]

Wage Stabilization Board

[Resolution No. 77]

DRIVER-SALESMEN

JURISDICTION

At present; jurisdiction over driver-salesmen is divided between the Salary Stabilization Board and the Wage Stabilization Board. Under the authority of section 6.02 of General Order No. 8 of the Economic Stabilization Administrator, the Salary Stabilization Board, subject to the concurrence of the Chairman of the Wage Stabilization Board, has determined that driver-salesmen subject to Salary Stabilization Board jurisdiction properly should be under the jurisdiction of the Wage Stabilization Board. The Chairman of the Wage Stabilization Board has concurred.

The Board, therefore, resolves that:

(1) The Wage Stabilization Board shall exercise jurisdiction over all drive-salesmen as described in § 541.505 of Part 541 (29 C. F. R., Chap. V) issued pursuant to section 13 (a) of the Fair Labor Standards Act as amended.

(2) Adjustments in compensation lawfully put into effect for driver-sales-

men while subject to the jurisdiction of the Salary Stabilization Board may be continued in effect.

Adopted by the Board on December 17, 1951.

NATHAN P. FEINSINGER,
Chairman.

[F. R. Doc. 51-15303; Filed, Dec. 21, 1951; 10:46 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

CIVIL AIR PATROL

ORDER REPLACING FREQUENCY IN CERTAIN LICENSES

In the matter of replacement of the frequency 2374 kc by the frequency 4325 kc or 4507.5 kc in certain licenses of the Civil Air Patrol.

At the session of the Federal Communications Commission held at its offices in Washington, D. C., on the 12th day of December 1951;

The Commission having under consideration the above captioned matter:

It appearing, that the frequencies 4325 kc and 4507.5 kc will be available for assignment to stations of the Civil Air Patrol on and after January 25, 1952, in accordance with § 9.912 (a) (2) and (3) as a replacement for the frequency 2374 kc to which replacement the licensees of the Civil Air Patrol stations have consented; and

It further appearing, that the use of the frequency 2374 kc may continue until a conversion to the replacement frequencies is accomplished but not beyond April 1, 1952; and

It further appearing, that a provision permitting the use of the replacement frequencies and an interim use of the replaced frequency would be in the public interest and that the authority therefor is contained in sections 4 (i), 303 (f) and (r) of the Communications Act of 1934, as amended:

It is ordered, That effective on the 25th day of January 1952 all outstanding licenses of the Civil Air Patrol authorizing the frequency 2374 kc are modified by replacing this frequency with the frequency 4325 kc or 4507.5 kc whichever is applicable in accordance with § 9.912 of the Commission's rules; and

It is further ordered, That notwithstanding the provision of the preceding clause, the use of the frequency 2374 kc may continue until a conversion to the appropriate replacement frequency is accomplished but in no event beyond April 1, 1952; and

It is further ordered, That a copy of this order be attached to and made a part of all such outstanding Civil Air Patrol licenses.

Released: December 13, 1951.

FEDERAL COMMUNICATIONS,
COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 51-15102; Filed, Dec. 21, 1951; 8:46 a. m.]

[Docket No. 10099]

FLORIDA WEST COAST BROADCASTERS, INC. (WPIN)

ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In re application of Florida West Coast Broadcasters, Inc (WPIN), Clearwater, Florida, for modification of license; Docket No. 10099, File No. BML-1486.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 12th day of December 1951:

The Commission having under consideration the above-entitled application to change studio location from Clearwater, Florida, to Clearwater-St. Petersburg, Florida;

It appearing, that the applicant's proposal may not conform to the requirements of the Commission's rules and standards of Good Engineering Practice, with particular reference to the coverage of the city of St. Petersburg, Florida.

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application is designated for hearing, at a time and place to be later specified, upon the following issue:

1. To determine whether the operation of station WPIN as proposed would be in compliance with § 3.30 of the Commission's rules.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 51-15103; Filed, Dec. 21, 1951; 8:46 a. m.]

[Docket No. 10100]

KADA BROADCASTING, INC. (KWSH)

ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In re application of Kada Broadcasting, Inc. (KWSH), Wewoka, Oklahoma, for modification of license; Docket No. 10100, File No. BML-1487.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 12th day of December 1951;

The Commission having under consideration the above-entitled application to change location of Station KWSH from Wewoka, Oklahoma, to Wewoka-Seminole, Oklahoma; and

It appearing, that the applicant's proposal may not conform to the requirements of the Commission's Rules and Standards of Good Engineering Practice, with particular reference to the coverage of the city of Seminole, Oklahoma;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application is designated for hearing, at a time and place to be later specified; upon the following issue:

1. To determine whether the operation of station KWSH as proposed would be in compliance with § 3.30 of the Commission's rules.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 51-15104; Filed, Dec. 21, 1951; 8:46 a. m.]

[Docket No. 10101]

TRI-STATE BROADCASTING CO. (WEIR)

ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In re application of The Tri-State Broadcasting Co. (WEIR), Weirton, West Virginia, for modification of license; Docket No. 10101, File No. BML-1475.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 12th day of December 1951;

The Commission having under consideration the above-entitled application for a modification of license to change studio location from Weirton, West Virginia to Weirton, West Virginia and Steubenville, Ohio:

It appearing, that the applicant's proposal may not conform to the requirements of the Commission's rules and Standards of Good Engineering Practice, with particular reference to the coverage of the city of Steubenville, Ohio,

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application is designated for hearing, at a time and place to be later specified, upon the following issue:

1. To determine whether the operation of station WEIR as proposed would be in compliance with § 3.30 of the Commission's rules.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 51-15105; Filed, Dec. 21, 1951; 8:46 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-1852]

LOUISIANA NATURAL GAS CORP.

NOTICE OF APPLICATION

DECEMBER 14, 1951.

Take notice that on December 11, 1951, Louisiana Natural Gas Corporation (Applicant), a Louisiana corporation with its principal place of business in Lake Charles, Louisiana, filed an application for a certificate of public convenience and necessity pursuant to section 7 of of the Natural Gas Act, as amended, authorizing the operation of certain natural-gas transmission pipeline facilities owned by Applicant.

Applicant seeks authority to operate certain of its facilities in Allen, Jefferson Davis, Acadia, Calcasieu, and Cameron Parishes, Louisiana, and which are shown on Exhibit D attached to the ap-

plication. These facilities, Applicant states, will be used to transport up to 93,200 Mcf of natural gas per day for delivery by it to Texas Gas Transmission Corporation (Texas Gas) at the southern terminus of the South Louisiana lateral of the Texas Gas system in the North Tepetate Field, Acadia Parish, Louisiana. Applicant further states that under the provisions of the Commission's Opinion No. 220, issued November 6, 1951, Texas Gas will be permitted to accept deliveries from Applicant and Texas Northern Gas Corporation of only such quantities of gas as are necessary to enable Texas Gas to make up deficiencies of supply in its existing system.

Applicant also states that it has ten long-term and six short-term contracts for the purchase of a supply of gas and that such contracts provide for a maximum contract quantity of 146,912 Mcf per day at 15.025 p. s. i. a.

Protests of petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 4th day of January 1952.

The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 51-15094; Filed, Dec. 21, 1951; 8:45 a. m.]

[Docket No. G-1853]

TEXAS NORTHERN GAS CORP.

NOTICE OF APPLICATION

DECEMBER 14, 1951.

Take notice that on December 11, 1951, Texas Northern Gas Corporation (Applicant), a Delaware corporation with its principal place of business in Lake Charles, Louisiana, filed an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, authorizing the operation of certain natural-gas transmission pipeline facilities owned by it.

Applicant seeks authority to operate those facilities, consisting of approximately 38 miles of various sizes of pipe and appurtenant equipment, located in Acadia Parish, Louisiana, and shown on Exhibit C to the application. These facilities, Applicant states, will be used to transport up to 46,800 Mcf of natural gas per day for delivery by it to Texas Gas Transmission Corporation (Texas Gas) at the southern terminus of the South Louisiana lateral of the Texas Gas system in the North Tepetate Field, Acadia Parish, Louisiana. Applicant further states that under the provisions of the Commission's Opinion No. 220, issued November 6, 1951, Texas Gas will be permitted to accept deliveries from Applicant and Louisiana Natural Gas Corporation of only such quantities of gas as are necessary to enable Texas Gas to make up deficiencies of supply in its existing system.

Applicant also states that is has sixteen twenty-year contracts for the purchase of a supply of gas, and that such contracts provide for a maximum contract quantity of 50,401 Mcf per day at 15.025 p. s. i. a.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 4th day of January 1952. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 51-15095; Filed, Dec. 21, 1951; 8:45 a. m.]

[Project No. 2097]

NAMEKAGON HYDRO CO.

NOTICE OF APPLICATION FOR LICENSE

DECEMBER 17, 1951.

Public notice is hereby given that Namekagon Hydro Company, Frederic, Wisconsin has made application for a license pursuant to the provisions of the Federal Power Act (16 U. S. C. 791-825r) for a hydroelectric development on the Namekagon River in Washburn County, Wisconsin. The proposed hydroelectric development would consist of a dam about 383 feet long composed of a concrete powerhouse substructure about 38 feet long, a gate-controlled concrete spillway about 70 feet long, and earthfill sections 155 and 120 feet long, one at each end of the dam; a reservoir extending about 6.5 miles upstream having a surface area at normal pool elevation of about 800 acres and a storage capacity of about 1,100 acre-feet; a powerhouse integral with the dam containing two turbines each rated at 1,040 horsepower operating at a net head of 25 feet and connected to a 750-kilowatt generator; and appurtenant facilities.

Any protest against the approval of this application or request for any action thereon, with reasons for such protest or request, and the name and address of the party or parties so protesting or requesting, should be submitted on or before February 5, 1952, to the Federal Power Commission at Washington 25, D. C.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 51-15015; Filed, Dec. 21, 1951; 8:45 a. m.]

HOUSING AND HOME FINANCE AGENCY

Office of the Administrator

COMMISSIONER, COMMUNITY FACILITIES AND SPECIAL OPERATIONS, AND DIRECTOR, SPECIAL OPERATIONS BRANCH

DELEGATIONS OF AUTHORITY WITH RESPECT TO PREFABRICATED HOUSING LOAN PROGRAM

1. Pursuant to authority vested in me as Housing and Home Finance Administrator by Reorganization Plan No. 23 of 1950 (15 F. R. 4366), and by Title V of the Defense Housing and Community Facilities and Services Act of 1951 (Pub. Law 139, 82d Congress), the Commissioner, Community Facilities and Special Operations, and the Director, Special Operations Branch, and each of them is hereby authorized, on behalf of the Housing and Home Finance Administrator, to take the following actions with respect to the program authorized by the above cited Reorganization Plan and statute, relating to financing production and distribution of prefabricated housing:

a. Approve disbursements of funds under authorized loans, or in connection therewith.

b. Execute, on behalf of the Housing and Home Finance Administrator, any and all loan or servicing instruments or documents required under any loan authorization, or in connection therewith, or relating thereto.

c. Amend or modify loan authorizations, or any requirement or condition therein, provided that the said Commissioner or Director determines that such action will not materially affect adversely the interests of this Agency, or increase the amount of such loan authorization.

d. Effect the settlement, compromise, or adjustment of any claims by or against the Housing and Home Finance Administrator.

e. Consent to and effect the release or substitution, or both, of any collateral, and sign documents effecting or evidencing such release or substitution, or both, provided that the said Commissioner or Director determines that such action will not materially affect adversely the interests of this Agency.

f. Release the effect and lien of, subordinate or satisfy, as the case may be, in whole or in part, by a written release deed, subordination agreement, or satisfaction of mortgage, or other form of release, subordination, or satisfaction, real estate trust deeds, mortgages, deeds to secure debt, or other forms of instruments securing payment of note or notes held by the Housing and Home Finance Administrator.

g. Execute such other papers or documents as are required by the laws or the general practice of the jurisdiction wherein the affected property is situated so as to fully effectuate such release, satisfaction, or other form of release.

2. This delegation of authority supersedes delegations of authority contained in Administrator's Temporary Order No. 4, effective September 7, 1950 (15 F. R. 6035), as amended (15 F. R. 6478, 15 F. R. 7196-7, 16 F. R. 5909, and 16 F. R. 9292), which order and amendments thereto are hereby rescinded.

Effective as of the 22d day of December 1951.

RAYMOND M. FOLEY,
Housing and Home Finance Administrator.

[F. R. Doc. 51-15132; Filed, Dec. 21, 1951; 8:48 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 26648]

FRESH MEATS AND PACKING HOUSE PRODUCTS FROM WESTERN TRUNK-LINE TERRITORY TO THE SOUTH

APPLICATION FOR RELIEF

DECEMBER 19, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: L. E. Kipp, Agent, for carriers parties to his tariff I. C. C. No. A-3911.

Commodities involved: Fresh meats and packing house products, carloads.

From: Points in western trunk-line territory.

To: Points in southern territory.

Grounds for relief: Circuity, grouping, additional routes, and to apply over short tariff routes rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: L. E. Kipp, Agent, I. C. C. No. A-3911, Supp. 8.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-15117; Filed, Dec. 21, 1951; 8:47 a. m.]

[4th Sec. Application 26649]

IRON OR STEEL WIRE FROM OHIO, KENTUCKY, AND WEST VIRGINIA TO LISTERHILL, ALA.

APPLICATION FOR RELIEF

DECEMBER 19, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for the Carolina, Clinchfield and Ohio Railway and other carriers.

Commodities involved: Wire, iron or steel, carloads.

From: Portsmouth and New Boston, Ohio, Ashland, Ky., and Huntington, W. Va.

To: Listerhill, Ala.

Grounds for relief: Competition with water, or water-rail carriers.

Schedules filed containing proposed rates: C. A. Spaninger's tariff I. C. C. No. 920, Supp. 238.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-15118; Filed, Dec. 21, 1951; 8:47 a. m.]

[4th Sec. Application 26650]

PAPER ARTICLES FROM CERTAIN TERRITORIES TO POINTS IN THE SOUTHWEST

APPLICATION FOR RELIEF

DECEMBER 19, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: F. C. Kratzmeir, Agent, for carriers parties to his tariff I. C. C. No. 3905.

Commodities involved: Shirt boards, paper or pulpboard, carloads.

From: Points in southwestern, official, southern, and western trunk-line territories.

To: Points in southwestern territory.

Grounds for relief: Rail competition, circuity, market competition, and additional commodities.

Schedules filed containing proposed rates: F. C. Kratzmeir's tariff I. C. C. No. 3905, Supp. 38.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-15119; Filed, Dec. 21, 1951; 8:47 a. m.]

[4th Sec. Application 26651]

FRESH MEATS AND PACKING HOUSE PRODUCTS FROM ILLINOIS TERRITORY TO THE SOUTH

APPLICATION FOR RELIEF

DECEMBER 19, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. G. Raasch, Agent, for carriers parties to his tariff I. C. C. No. 738, Agent C. A. Spaninger's tariff I. C. C. No. 1270.

Commodities involved: Fresh meats and packing house products, carloads.

From: Points in Illinois territory.

To: Points in southern territory.

Grounds for relief: Circuitous routes, additional routes, and to apply over short tariff routes rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: R. G. Raasch's tariff I. C. C. No. 738, Supp. 7; C. A. Spaninger's tariff I. C. C. No. 1270, Supp. 7.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-15120; Filed, Dec. 21, 1951; 8:47 a. m.]

[4th Sec. Application 26652]

CANNED GOODS FROM TEXAS PORTS TO EL PASO, TEX.

APPLICATION FOR RELIEF

DECEMBER 19, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-

haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: Lee Douglass, Agent, for The Atchison, Topeka and Santa Fe Railway Company, Gulf, Colorado and Santa Fe Railway Company, and Panhandle and Santa Fe Railway Company.

Commodities involved: Canned goods, carloads.

From: Beaumont, Galveston, Houston, and Texas City, Tex., (on import and inbound coastwise traffic).

To: El Paso, Tex.

Grounds for relief: Competition with rail carriers and circuitous routes.

Schedules filed containing proposed rates: Lee Douglass' tariff I. C. C. No. 796, Supp. 12.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-15121; Filed, Dec. 21, 1951; 8:47 a. m.]

[4th Sec. Application 26653]

MOTOR-RAIL-MOTOR RATES BETWEEN CONNECTICUT, RHODE ISLAND, NEW YORK, AND MASSACHUSETTS

APPLICATION FOR RELIEF

DECEMBER 19, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: The New York, New Haven and Hartford Railroad Company and Bianchi Motor Transportation, Inc.

Commodities involved: All commodities.

Between: New Haven, Conn., and Providence, R. I., on the one hand, and Harlem River, N. Y., on the other, also between Boston, Mass., and Providence, R. I., on the one hand, and New Haven, Conn., on the other.

Grounds for relief: Competition with motor carriers.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-15112; Filed, Dec. 21, 1951; 8:47 a. m.]

[4th Sec. Application 26654]

ALCOHOL AND RELATED ARTICLES FROM TEXAS, ARKANSAS, LOUISIANA, AND OKLAHOMA TO NORTH JEFFERSON, MO.

APPLICATION FOR RELIEF

DECEMBER 19, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: F. C. Kratzmeir, Agent, for carriers parties to his tariff I. C. C. No. 3721.

Commodities involved: Alcohol and related articles, carloads.

From: Bishop, Brownsville, Houston, Orange, Port Arthur, Texas City, Velasco, and Winnie, Tex., Crossett, Ark., Sterlington, La., and Tallant, Okla.

To: North Jefferson, Mo.

Grounds for relief: Competition with rail carriers and circuitous routes.

Schedules filed containing proposed rates: F. C. Kratzmeir's tariff I. C. C. No. 3721, Supp. 200.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-15123; Filed, Dec. 21, 1951; 8:47 a. m.]

[4th Sec. Application 26655]

GREEN COFFEE FROM GULF PORTS TO ST. LOUIS, MO.

APPLICATION FOR RELIEF

DECEMBER 19, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: F. C. Kratzmeir, Agent, for carriers parties to Agent W. P. Emerson, Jr.'s tariff I. C. C. No. 404, pursuant to fourth-section order No. 16101.

Commodities involved: Green coffee, in carloads, (imported).

From: New Orleans and Port Chalmette, La., Mobile, Ala., Gulfport, Miss., and Pensacola, Fla.

To: St. Louis, Mo., and points in Illinois.

Grounds for relief: Competition with rail carriers and circuitous routes.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-15124; Filed, Dec. 21, 1951; 8:47 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File Nos. 54-186, 59-93, 70-1804]

ARKANSAS NATURAL GAS CORP. ET AL.

NOTICE OF FILING OF AMENDMENT TO PLAN AND NOTICE OF AND ORDER RECONVENING HEARINGS IN CONSOLIDATED PROCEEDINGS

DECEMBER 18, 1951.

In the matter of Arkansas Natural Gas Corporation, Cities Service Company, File No. 54-186; Arkansas Natural Gas Corporation and its subsidiaries and Cities Service Company, respondents, File Nos. 59-93 and 70-1804.

Arkansas Natural Gas Corporation ("Arkansas Natural"), a registered holding company and a subsidiary of Cities Service Company ("Cities"), also a registered holding company, having heretofore filed, on January 25, 1950, with the Commission a plan of reorganization ("1950 Plan") pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 ("act"); and

The Commission having previously instituted proceedings under sections 11 (b) (2), 12 (f), 15 (a), 15 (f), and 20 (a) of the act with respect to Arkansas Natural and Cities and having consolidated this proceeding with a proceeding involving certain applications and declarations filed by Arkansas Natural (File No. 70-1804) which proposals have been superseded by the plan of reorganization filed on January 25, 1950, by Arkansas Natural, referred to above, and the Commission having consolidated both of the above proceedings with the proceedings on the plan for Arkansas Natural's reorganization and having ordered a hearing thereon (Holding Company Act Release No. 10372); and

Public hearings having been held from time to time in such consolidated proceedings and at the close of the hearing held on December 4, 1951, the hearings having been adjourned subject to the call of the Commission:

Notice is hereby given that on December 4, 1951, Arkansas Natural filed an amendment to the 1950 Plan (which plan, as so amended, will hereinafter be referred to as the "Amended Plan"). Cities has joined in and become a party to the Amended Plan with respect to the various transactions proposed therein affecting and to be carried out by it. In substance, the Amended Plan differs from the 1950 Plan in that (1) the 1950 Plan provided for exchange of Arkansas Natural's outstanding $10 par value preferred stock for a new issue of preferred stock, whereas the Amended Plan provides for a cash payment of $10.60 per share of presently held preferred stock, with an opportunity afforded to holders of such preferred stock, other than Cities, to exchange their holdings for new 20-year sinking fund debentures of Arkansas Natural and, (2) the 1950 Plan provided for parity treatment for all holders of Arkansas Natural's presently outstanding securities, whereas the Amended Plan provides that over and above such parity treatment, Cities, in full settlement of and compromise of all claims which have been or may be asserted against it in this proceeding, will make cash payments of $1.50 per share and 25 cents per share, respectively, to holders of Arkansas Natural's Class A and common stocks.

All interested persons are referred to said Amended Plan which is on file in the offices of this Commission for a statement of the transactions therein proposed, which may be summarized as follows:

1. Arkansas Louisiana Gas Company ("Arkansas Louisiana"), a public utility subsidiary of Arkansas Natural, will transfer to Arkansas Fuel Oil Company ("Arkansas Fuel"), a non-utility subsidiary of Arkansas Natural, all of its leases, gas wells and equipment and field gathering lines in certain natural gas acreage known as the Carthage Acreage, at net book value thereof ($4,688,254.23 as of October 31, 1951), and Arkansas Fuel will transfer to Arkansas Louisiana certain natural gasoline plants at net book value thereof ($6,367,167.91 as of October 31, 1951). Any difference in the respective net book values at the time of transfer is to be adjusted in cash.

2. Arkansas Natural will transfer to Arkansas Louisiana its pipeline property, consisting of approximately 51 miles of pipeline, at net book value ($68,556.41 as of October 31, 1951).

3. Arkansas Natural, which owns $6,500,000 principal amount of Arkansas Louisiana 4¼ percent debentures, will surrender said debentures to Arkansas Louisiana for cancellation, as a donation of capital.

4. Arkansas Louisiana will issue and sell $35,000,000 principal amount of its First Mortgage Bonds and with the proceeds will retire its outstanding funded debt, amounting as of October 31, 1951, to $26,375,000, and use the balance toward financing its construction program.

5. Arkansas Natural will retire its presently outstanding $10 par value preferred stock by a cash payment of the redemption price thereof, $10.60 per share, together with unpaid dividends, if any, to the date of payment, which will be as soon as practicable after the effective date of the plan, on 30 days' prior notice. Funds for this purpose will be derived from the issuance and sale by Arkansas Natural, at competitive bidding, of $23,000,000 principal amount of its 20-year Sinking Fund Debentures (less such principal amount as may be required for exchanges hereinafter mentioned) and from its other cash resources. Arrangements will be made to provide an opportunity to holders of Arkansas Natural's preferred stock, other than Cities, to exchange their holdings for the new Sinking Fund Debentures, with such cash adjustments as may be necessary. Upon the date fixed for payment of the preferred stock, all rights of holders of the preferred stock who have not elected to exchange their holdings for Debentures shall be terminated, except the right to receive from Arkansas Natural upon surrender of their holdings $10.60 per share in cash and unpaid dividends, if any, accrued to the payment date; and the right of holders of preferred stock to receive said monies may be exercised at any time prior to January 1, 1958, after which date any of such monies not theretofore collected by such holders will revert to Arkansas Natural.

6. Arkansas Louisiana will reclassify its presently outstanding Common stock into 3,801,609 shares of no par value Common stock. The new shares will be distributed to the holders of Common and Class A stock of Arkansas Natural on the basis of one-half share of common stock of Arkansas Louisiana for each share of Common or Class A stock of Arkansas Natural.

7. Arkansas Fuel will merge into Arkansas Natural, which will be the surviving corporation under the name of Arkansas Fuel Oil Corporation. As part of the merger, the Class A and Common stocks of Arkansas Natural will be converted into new no-par value Common stock of the surviving corporation, in the ratio of one-half share of the new Common stock for each share of outstanding Class A and Common stocks. In lieu of fractional shares of new Common stock Arkansas Natural will issue scrip certificates exchangeable (when combined in proper amounts and presented at the proper time) for full-share certificates of new Common stock.

8. In full settlement and compromise of all claims that have been or may be raised or asserted in these proceedings against Cities and its subsidiaries, Cities will make cash payments aggregating approximately $4,000,000 to the public holders (with certain exceptions hereinafter noted) of Arkansas Natural's Class A and Common stocks, on the basis of $1.50 per share of Class A stock and 25 cents per share of Common stock. Such cash payments will be made to holders of record as of a date (which will be the Effective Date of the Amended Plan, as defined below) within 30 days after such record date; except that no such payments will be made in respect of shares held on such record date by any present or former officer or director of Arkansas Natural or any of its subsidiaries or of Cities, or by any person who on the formation by merger of Arkansas Natural in 1928 was entitled to receive 1 percent or more of the Common stock thereof in exchange for stock of Arkansas Natural Gas Company (one of the predecessors of the present Arkansas Natural) or by the successors in interest (other than by purchase) of any such person, officer, or director. The effective date of the Amended Plan will be fixed by Arkansas Natural, and will be a date as soon as practicable after the entry by the United States District Court of an order approving and enforcing the Amended Plan, or such postponed date as the Commission may approve.

Cities states that it makes the foregoing proposal as a means of effectuating a settlement and complete discharge of the claims, without admitting that such claims have any substantial foundation, but realizing that a determination of these issues by the Commission and the Courts would be lengthy and subject to the usual uncertainties of such procedure, and would greatly delay the completion of the reorganization of Arkansas Natural and its system.

9. Arkansas Natural will pay such fees and expenses for services rendered in connection with the plan (except in connection with the refinancing of Arkansas Louisiana, which will be paid by Arkansas Louisiana) as may be allowed by the Commission.

Arkansas Natural and Cities have requested the Commission, in the event it approves the Amended Plan, to enter an order containing the recitals required by section 1808 (f) and Supplement R of the Internal Revenue Code, as amended, and to apply to an appropriate court to enforce and carry out the terms and provisions of the plan.

It appearing appropriate that notice of the filing of the Amended Plan be given and that the hearing be reconvened in this consolidated proceeding:

It is ordered, That the hearing in the proposed Amended Plan and in this consolidated proceeding be reconvened on January 15, 1952 at 10:00 a. m., e. s. t. at the offices of the Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C., in such room as may be designated on that day by the hearing room clerk. Any person who has not heretofore entered his ap-

pearance, desiring to be heard or otherwise wishing to participate in this proceeding shall file with the Secretary of this Commission on or before January 10, 1952, a written request relative thereto as provided by Rule XVII of the Commission's rules of practice.

It is further ordered, That William W. Swift or any other officer or officers of the Commission designated by it for that purpose, shall preside at the hearing in the above matter. The officer so designated to preside at the hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a hearing officer under the Commission's rules of practice.

It is further ordered, That in addition to the matters and questions heretofore designated by the Commission for particular attention in these proceedings, attention be directed at the reconvened hearing to the following:

1. Whether the Amended Plan, as submitted or as it may hereafter be modified, is in all respects necessary to effectuate the provisions of section 11 (b) of the act and is fair and equitable to the persons affected thereby;

2. Whether the compromise and settlement proposed by Cities is fair and equitable to the persons affected thereby;

3. Generally, whether the proposed transactions are in all respects in the public interest and in the interests of investors and consumers and consistent with all applicable requirements of the act and the rules thereunder, and, if not, what modification should be required to be made therein and what terms and conditions, if any, should be imposed to satisfy the applicable statutory standards;

It is further ordered, That jurisdiction be reserved to separate, either for hearing, or for disposition, in whole or in part, any of the issues, questions or matters hereinbefore set forth or which may arise in this proceeding, or to take such other action as may appear conducive to an orderly, prompt, and expeditious disposition of the matters involved.

It is further ordered, That the Secretary of the Commission shall serve notice of the aforesaid hearing by mailing copies of this order by registered mail to Arkansas Natural Gas Corporation, Cities Service Company and to the Federal Power Commission, and to all parties of record and all persons granted leave to be heard in this consolidated proceeding; that notice shall be given to all other persons by general release of this Commission and shall be distributed to the press and mailed to the mailing list for releases under the act, and that further notice be given to all persons by publication of this notice and order in the FEDERAL REGISTER.

It is further ordered, That Arkansas Natural shall mail a copy of this notice and order to each of its security holders (insofar as the identity of such security holders is known or available to it) at least 15 days prior to the date set for hearing.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-15154; Filed, Dec. 21, 1951; 8:49 a. m.]

[File No. 70-2742]

CENTRAL AND SOUTH WEST CORP. AND PUBLIC SERVICE CO. OF OKLAHOMA

ORDER AUTHORIZING ISSUANCE AND SALE BY A SUBSIDIARY OF COMMON STOCK TO ITS PARENT

DECEMBER 18, 1951.

Central and South West Corporation ("Central"), a registered holding company, and Public Service Company of Oklahoma ("Public Service"), a public utility subsidiary thereof, having filed a joint application-declaration with the Commission pursuant to the Public Utility Holding Company Act of 1935 ("act") and having designated sections 6 (a), 7, 9 (a), 10 and 12 thereof and Rules U-23, U-43, and U-50 (a) (3) thereunder as being applicable to the proposed transactions which are summarized as follows:

By amendment to its Articles of Incorporation, Public Service proposes to increase the number of authorized shares of its $10 par value common stock from 2,000,000 shares, of which 1,800,000 shares are outstanding and owned by Central, to 3,000,000 shares. On or before December 31, 1951, Public Service proposes to issue and deliver to Central, as a stock dividend, 200,000 shares of its common stock, and to transfer on its books from earned surplus account to capital stock account the sum of $10 for each of said shares; and to issue and sell to Central an additional 100,000 shares of common stock for the sum of $1,000,000 payable in cash on delivery of said shares. Subsequent to December 31, 1951, but on or before March 31, 1952, Public Service proposes to issue and sell 200,000 additional shares of its common stock to Central for the sum of $2,000,000 payable in cash upon delivery thereof. Central proposes to acquire the 200,000 additional shares as a stock dividend and to purchase and pay for said remaining 300,000 additional shares of common stock as stated above. Public Service will use the proceeds to be received to finance in part its construction program.

The Corporation Commission of the State of Oklahoma has authorized the issuance and sale of common stock as proposed by Public Service.

Notice of the filing of the application-declaration, as amended, having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to the act and the Commission not having received a request for a hearing and not having ordered a hearing thereon; and the Commission finding with respect to the joint application-declaration, as amended, that the applicable statutory standards are satisfied and that it is not necessary to impose any terms and conditions other than those prescribed in Rule U-24 and the Commission deeming it appropriate in the public interest and in the interest of investors and consumers that said joint application-declaration, as amended, be granted and be permitted to become effective forthwith:

It is ordered, Pursuant to said Rule U-23 and the applicable provisions of the act, that said joint application-declaration, as amended, be, and the same hereby is, granted and permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-15151; Filed, Dec. 21, 1951; 8:49 a. m.]

[File No. 70-2747]

CONSOLIDATED ELECTRIC AND GAS CO.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE WITH RESPECT TO PAYMENT OUT OF CAPITAL SURPLUS OF CASH DIVIDEND ON PREFERRED STOCK

DECEMBER 18, 1951.

Consolidated Electric and Gas Company ("Consolidated"), a registered holding company and a wholly owned direct subsidiary of Ceneral Public Utility Corporation ("Central Public"), which in turn is a direct subsidiary of Voting Trustees for the common stock of Central Public ("Voting Trustees"), these latter two companies also being registered holding companies, having filed a declaration, with one amendment thereto, pursuant to the Public Utility Holding Company Act of 1935 ("act"), and certain rules and regulations promulgated thereunder with respect to the following transaction:

Consolidated proposes to declare and pay out of capital surplus a cash dividend of $1 a share on each the outstanding 68,856 shares of its preferred stock all of which are owned by Central Public. This preferred stock was issued in August 1932 and is entitled to cumulative dividends at the rate of $6 a year. The accumulated dividends unpaid on each of said shares aggregated $114.35 at October 1, 1951, and the proposed dividend will be applied to the reduction of such arrears. The filing states that Consolidated does not have any earned surplus. It is further stated that as of September 30, 1951, Consolidated had cash of $244,343.06, an excess of current assets over current liabilities of $226,800.36 and capital surplus of $7,757,299.06.

Central Public, as the owner of all the outstanding securities of Consolidated, will receive the total amount of this proposed dividend. The filing represents that the purpose of the proposed dividend is to provide Central Public with funds so that it may pay its current bills and future operating expenses until such time as a plan under section 11 (e) of the act proposing the merger of Consolidated into Central Public, which is now pending with this Commission, has been consummated.

It is also represented that the proposed dividend in the opinion of the management is not unlawful under Delaware law, the state in which Consolidated is incorporated, and that it will be sufficient to provide Central Public with funds until the effectuation of the proposed merger.

The Commission having issued a notice of filing in the form and manner prescribed by Rule U-23, promulgated pursuant to the act, and the Commission not having received a request for a hearing and not having ordered a hearing thereon; and

The Commission finding with respect to the declaration, as amended, that all of the applicable statutory standards are satisfied, and observing no basis for any adverse findings and deeming it appropriate in the public interest and in the interest of investors and consumers that said declaration, as amended, be permitted to become effective forthwith:

It is hereby ordered, Pursuant to said Rule U-23 and the applicable provisions of the act that said declaration, as amended, be permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-15152; Filed, Dec. 21, 1951; 8:49 a. m.]

[File No. 70-2748]

NIAGARA MOHAWK POWER CORP.

SUPPLEMENTAL ORDER CONCERNING ISSUANCE AND SALE OF COMMON STOCK AT COMPETITIVE BIDDING

DECEMBER 18, 1951.

Niagara Mohawk Power Corporation ("Niagara Mohawk"), a subsidiary of The United Corporation, a registered holding company, having filed an application and amendments thereto, pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935 ("act") with respect to the issue and sale by Niagara Mohawk, pursuant to the competitive bidding requirements of Rule U-50, of $15,000,000 principal amount of General Mortgage Bonds, __ Percent Series, due December 1, 1981, and 1,000,000 shares of its common capital stock without par value; and

The Commission having, by Order dated December 11, 1951, granted said application, as amended, subject to the conditions, among others, that the proposed sale of bonds and common stock shall not be consummated until the results of competitive bidding and a final order of the Public Service Commission of the State of New York approving the issue and sale of said bonds and stock shall have been made a matter of record in this proceeding, and a further order shall have been entered in the light of the record so completed; and jurisdiction having been reserved over the payment of all fees and expenses to be incurred in connection with the proposed transactions; and

Niagara Mohawk having on December 18, 1951, filed a further amendment to said application in which it is stated that it has offered the common stock for sale pursuant to the competitive bidding requirements of Rule U-50 and has received the following bids:

COMMON STOCK

Bidding group headed by—	*Price per share to Niagara Mohawk*
Morgan Stanley & Co. and The First Boston Corp	$23.643
Merrill Lynch, Pierce, Fenner & Beane; Kidder, Peabody & Co.; and White, Weld & Co	23.565

The amendment further stating Niagara Mohawk has accepted the bid of Morgan Stanley & Co. and The First Boston Corporation for the common stock as set forth above and that the common stock will be offered to the public at a price of $24.25 per share, resulting in an underwriters' spread of $0.607 per share; and

The Public Service Commission of the State of New York having entered its Order dated December 18, 1951, approving the issue and sale of the common stock, and the record not having been completed with respect to the fees and expenses to be incurred in connection with the proposed sale of common stock, which under the order of the State Commission may not exceed $105,000 for the common stock; and

The Commission having examined said amendment and having considered the record herein and finding no basis for imposing terms and conditions with respect to the price to be received for the common stock, and the underwriters' spread with respect thereto:

It is hereby ordered, That jurisdiction heretofore reserved in connection with the sale of said common stock be, and the same hereby is, released, and that the said application, as further amended, be, and the same hereby is, permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24 of the general rules and regulations under the act.

It is further ordered, That jurisdiction heretofore reserved over the results of competitive bidding with respect to the bonds be, and hereby is, continued.

It is further ordered, That jurisdiction heretofore reserved over the payment of all fees and expenses be, and hereby is, continued.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-15153; Filed, Dec. 21, 1951; 8:49 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

[Vesting Order 18667]

WM. BELLMOND AND CARL BELLMOND

In re: Interests in real property owned by Wm. Bellmond, also known as Willia 1 Bellmond and as Wilhelm Bellmund, and Carl Bellmond. F-28-31720.

Under the authority of the Trading With the Enemy Act, as amended, (50 U. S. C. App. and Sup. 1-40); Public Law 181, 82d Congress, 65 Stat. 451; Executive Order 9193, as amended by Executive Order 9567 (3 CFR, 1943 Cum. Supp.; 3 CFR 1945 Supp.); Executive Order 9788 (3 CFR, 1946 Supp.) and Executive Order 9989 (3 CFR, 1948 Supp.), and pursuant to law, after investigation, it is hereby found:

1. That Wm. Bellmond, also known as William Bellmond and as Wilhelm Bellmund, whose last known address is Salzderheldem, Heldenbergstrasse 25, Germany, on or since December 11, 1941, and prior to January 1, 1947 was a resident of Germany and is, and prior to January 1, 1947 was, a national of a designated enemy country (Germany);

2. That Carl Bellmond, who there is reasonable cause to believe on or since December 11, 1941, and prior to January 1, 1947, was a resident of Germany is, and prior to January 1, 1947 was, a national of a designated enemy country (Germany);

3. That the property described as follows: Those certain cemetery lots, in Block five (5) of Wisconsin Memorial Park, situated in the Town of Brookfield, County of Waukesha, State of Wisconsin, known and described as lots numbered 36DD, 34, 35, 363, 364, 365, 367, 368 and 370, together with all benefits arising from the ownership of such property,

is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Wm. Bellmond, also known as William Bellmond and as Wilhelm Bellmund, and Carl Bellmond, the aforesaid nationals of a designated enemy country (Germany);

4. That the property described as follows: Those certain cemetery lots, in Block five (5) of Wisconsin Memorial Park, situated in the Town of Brookfield, County of Waukesha, State of Wisconsin, known and described as lot numbered 373 and lot numbered 448, together with all benefits arising from the ownership of such property,

is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, William Bellmond, also known as Wm. Bellmond and as Wilhelm Bellmund, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

5. That the national interest of the United States requires that such persons be treated as persons who are and prior to January 1, 1947, were nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described in subparagraphs 3 and 4 hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on December 17, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-15155; Filed, Dec. 21, 1951; 8:50 a. m.]

[Vesting Order 18668]

ELISE BRAUN

In re: Estate of Elise Braun, also known as Lizzie Braun, also known as Lizzie Deubel, deceased. File D-28-13078; E. T. sec. 17192.

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1-40); Public Law 181, 82d Congress, 65 Stat 451; Executive Order 9193, as amended by Executive Order 9567 (3 CFR, 1943 Cum. Supp.; 3 CFR 1945 Supp.); Executive Order 9788 (3 CFR, 1946 Supp.) and Executive Order 9989 (3 CFR, 1948 Supp.), and pursuant to law, after investigation, it is hereby found:

1. That Carolina Mobus, Karl Mobus and Henry Mobus, whose last known address is Germany, on or since December 11, 1941, and prior to January 1, 1947, were residents of Germany and are, and prior to January 1, 1947, were, nationals of a designated enemy country (Germany);

2. That the children, names unknown, of Karl Deubel, deceased, who there is reasonable cause to believe are and on or since December 11, 1941, and prior to January 1, 1947, were residents of Germany, are and prior to January 1, 1947, were nationals of a designated enemy country (Germany);

3. That the property described as follows: Those certain debts or other obligations of William Deubel, Sr., 211 Hudson Street, Hackensack, New Jersey, as executor of the estate of Elise Braun, also known as Lizzie Braun, also known as Lizzie Deubel, deceased, arising by reason of receipt by said William Deubel, Sr., of the distributive shares of Carolina Mobus, Karl Mobus, Henry Mobus and children, names unknown, of Karl Deubel, deceased, in said estate, together with any and all rights to demand, enforce and collect the same,

is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the persons identified in subparagraphs 1 and 2 hereof, nationals of a designated enemy country (Germany);

and it is hereby determined:

4. That the national interest of the United States requires that the persons identified in subparagraphs 1 and 2 hereof be treated as persons who are and prior to January 1, 1947, were nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on December 17, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-15156; Filed, Dec. 21, 1951; 8:50 a. m.]

[Vesting Order 18669]

HANNS WISIOL

In re: Rights of Hanns Wisiol under insurance contract. File F-28-31656-H-1.

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1-40); Public Law 181, 82d Congress, 65 Stat. 451; Executive Order 9193, as amended by Executive Order 9567 (3 CFR, 1943 Cum. Supp.; 3 CFR 1945 Supp.); Executive Order 9788 (3 CFR, 1946 Supp.) and Executive Order 9989 (3 CFR, 1948 Supp.), and pursuant to law, after investigation, it is hereby found:

1. That Hanns Wisiol, whose last known address is Germany, on or since December 11, 1941, and prior to January 1, 1947 was a resident of Germany and is, and prior to January 1, 1947 was, a national of a designated enemy country (Germany);

2. That the net proceeds due or to become due under a contract of insurance evidenced by Policy No. 7 870 544 issued by the New York Life Insurance Company, New York, New York, to Hanns Wisiol, and any and all other benefits and rights of any kind or character whatsoever under or arising out of said contract of insurance except those of Erich Wisiol, a resident of the United States, and of the aforesaid New York Life Insurance Company, together with the right to demand, enforce, receive and collect the same, is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Hanns Wisiol, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That the national interest of the United States requires that such person be treated as a person who is and prior to January 1, 1947, was a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on December 17, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-15157; Filed, Dec. 21, 1951; 8:50 a. m.]

[Vesting Order 18670]

REINHOLD BARTENSTEIN

In re: Debt owing to Reinhold Bartenstein.

Under the authority of the Trading With the Enemy Act, as amended, (50 U. S. C. App. and Sup. 1-40); Public Law 181, 82d Congress, 65 Stat. 451; Executive Order 9193, as amended by Executive Order 9567 (3 CFR, 1943 Cum. Supp.; 3 CFR 1945 Supp.); Executive Order 9788 (3 CFR, 1946 Supp.) and Executive Order 9989 (3 CFR, 1948 Supp.), and pursuant to law, after investigation, it is hereby found:

1. That Reinhold Bartenstein who on or since December 11, 1941, and prior to January 1, 1947, was a resident of Germany, is, and prior to January 1, 1947, was, a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation of The Chase National Bank of the City of New York, 18 Pine Street, New York, New York, in the amount of $717.14, as of October 3, 1951, arising out of all or a portion of funds on deposit with said Bank in a General Ruling #6 account in the name of Credit Suisse, Zurich, and representing dividends received on securities heretofore vested by sub-paragraphs 2 (c) and (d) of Vesting Order 18112, dated July 2, 1951, together with any and all accruals thereto and any and all rights to demand, enforce and collect the same,

is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Reinhold Bartenstein, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That the national interest of the United States requires that such person be treated as a person who is and prior to January 1, 1947, was a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having

been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on December 17, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-15158; Filed, Dec. 21, 1951; 8:50 a. m.]

[Vesting Order 18672]

JAPANESE GOVERNMENT

In re: United States currency owned by Japanese Government.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the property described as follows: The sum of $1,782.00 presently under the control of the Supreme Commander of the Allied Powers, Tokyo, Japan, representing United States currency surrendered by the Tokyo Procurator's Office to the Supreme Commander for Allied Powers, Tokyo,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, a designated enemy country (Japan);

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The term "designated enemy country" as used herein shall have the meaning prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on December 17, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-15160; Filed, Dec. 21, 1951; 8:51 a. m.]

[Vesting Order 18673]

SOTARO NAMBA

In re: Claims of Sotaro Namba. F-39-7070.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Sotaro Namba, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows: Any and all rights and claims to Social Security benefits under the Social Security Act, approved August 14, 1935, as amended (Public Law 271, 74th Cong. 1st Session, 49 Stat., 620) to January 1, 1947, of Sotaro Namba, identified by Social Security Account Number 531-07-3726, together with any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on December 17, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-15161; Filed, Dec. 21, 1951; 8:51 a. m.]

[Vesting Order 18675]

CERTAIN GERMAN NATIONALS

In re: United States Reserve Note owned by person or persons unknown.

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1-40); Public Law 181, 82d Congress, 65 Stat. 451; Executive Order 9193, as amended by Executive Order 9567 (3 CFR, 1943 Cum. Supp.; 3 CFR 1945 Supp.); Executive Order 9788 (3 CFR, 1946 Supp.) and Executive Order 9989 (3 CFR, 1948 Supp.), and pursuant to law, after investigation, it is hereby found:

1. That the Bank Deutscher Laender, Frankfurt/Main, Germany, on or about November 17, 1951, shipped to the Federal Reserve Bank of New York, a $50 Federal Reserve Note;

2. That the identity of the person or persons who is the owner of the aforesaid note is unknown;

3. That the person or persons referred to in subparagraph 4 hereof, who, if individuals, there is reasonable cause to believe on or since December 11, 1941, and prior to January 1, 1947, were, residents of Germany and, which, if partnerships, corporations, associations or other organizations, there is reasonable cause to believe on or since December 11, 1941, and prior to January 1, 1947, were, organized under the laws of and had their principal places of business in Germany, are, and prior to January 1, 1947, were nationals of a designated enemy country (Germany);

4. That the property described as follows: One Federal Reserve Note, series of 1934, of $50 face value said note numbered B00688436A shipped on or about November 17, 1951 by the Bank Deutscher Laender, Frankfurt/Main, Germany, to the Federal Reserve Bank of New York and presently in the custody of the Federal Reserve Bank of New York,

is property which is within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the person or persons referred to in subparagraph 3 hereof, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

5. That the national interest of the United States requires that such persons be treated as persons who are and prior to January 1, 1947, were nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on December 17, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-15163; Filed, Dec. 21, 1951; 8:51 a. m.]

[Vesting Order 18191, Amdt.]

MARIANNE HAAS ET AL.

In re: Securities owned by Marianne Haas and others.

Vesting Order 18191, as amended, dated July 16, 1951, is hereby further amended as follows and not otherwise:

By deleting from Exhibit A, attached to and by reference made a part of Vesting Order 18191, as amended, the description of stock issued by the Casco Bay Timber Company, and substituting therefor the following:

Name of issuer	Class of stock	Par value	Certificate Nos.	Number of shares	Owner
Casco Bay Timber Co...	Capital...	None	9	65	Aschaffenburger Zellstottwerke A. G.
Do...	...do...	$100.00	10	65	Do.

All other provisions of said Vesting Order 18191, as amended, and all action taken by or on behalf of the Attorney General of the United States in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on December 17, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-15165; Filed, Dec. 21, 1951; 8:51 a. m.]

[Vesting Order 18248, Amdt.]

HUGO STINNES, JR., ET AL.

In re: Securities owned by and debts owing to Hugo Stinnes, Jr., and others.

Vesting Order 18248, dated July 30, 1951, is hereby amended as follows and not otherwise:

a. By deleting from Exhibit A, attached to and by reference made a part of said Vesting Order 18248, the number "10882" set forth with respect to Hugo Stinnes Industries, Inc. 7 percent Sinking Fund Gold Debentures and substituting therefor the number "10822".

b. By deleting from Exhibit C, attached to and by reference made a part of said Vesting Order 18248, the number "7672" set forth with respect to Hugo Stinnes Industries, Inc. 7 percent Sinking Fund Gold Debentures and substituting therefor the number "7262".

All other provisions of said Vesting Order 18248 and all actions taken by or on behalf of the Attorney General of the United States in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on December 17, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-15166; Filed, Dec. 21, 1951; 8:52 a. m.]

[Vesting Order 18617, Amdt.]

ATAE TAKAHASHI ET AL.

In re: Securities owned by Atae Takahashi and others.

Vesting Order 18617, dated November 1, 1951, is hereby amended as follows and not otherwise: By deleting from subparagraph 4 (b) of the aforesaid Vesting Order 18617, the number "1083564" set forth with respect to a United States Savings Bond listed therein and substituting therefor the number "L-1083504."

All other provisions of said Vesting Order 18617 and all actions taken by or on behalf of the Attorney General of the United States in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on December 17, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-15167; Filed, Dec. 21, 1951; 8:52 a. m.]

ALICE HENRIQUES RABA AND GEORGES HENRIQUES RABA

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property located in Washington, D. C., including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., and Property

Alice Henriques Raba and Georges Henriques Raba, Paris France; Claim No. 15597; property described in Vesting Order No. 1028 (8 F. R. 4205, April 2, 1943) relating to United States Patent Application Serial No. 415874 (now United States Letters Patent No. 2,361,708), a one-half undivided interest thereof to each claimant.

Executed at Washington, D. C., on December 13, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-15168; Filed, Dec. 21, 1951; 8:52 a. m.]

MARIE GUILLO AND GERMAINE GUILLO

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of the publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Marie Guillo, Bessancourt (Seine et Oise), France; Germaine Guillo, Paris, France; Claim No. 41874; $2,747.49 in the Treasury of the United States to Marie Guillo; $2,747.50 in the Treasury of the United States to Marie Guillo and Germaine Guillo, with Marie Guillo having a life interest therein and Germaine Guillo being entitled to the remainder thereof.

An undivided one-half interest in the property described below presently in the custody of the Office of Alien Property, New York, to Marie Guillo; the remaining undivided one-half interest in the property described below to Marie Guillo and Germaine Guillo, with Marie Guillo having a life interest therein and Germaine Guillo being entitled to the remainder thereof: Certificate No. 95 for 1200 shares of capital stock of The San Diego-Peru Oil Company, par value, $1.00 per share, registered in the name of John Becht.

$1,000 Class F Certificate of California, Oregon and Washington Homebuilders' Association Co-operative Contract, dated Los Angeles, California, June 18, 1903, issued in the name of John Becht. Consolidated Series No. 637 Preferred Series No. 143.

Assignment No. 171 of 1/5th of 1 percent Royalty Interest in and to Lots 7, 9, 11, and 13, Block B, Ocean Strand Tract, in the City of Venice, County of Los Angeles, State of California, known as Well No. 1, entered into by and between Pan Gulf Petroleum, Ltd., and John Becht and/or Marie Becht, joint tenants with the right of survivorship, on September 18, 1930.

Executed at Washington, D. C., on December 17, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-15169; Filed, Dec. 21, 1951; 8:52 a. m.]